

# Affirmative Action Plan for Equal Opportunity

2003

Duke University

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# **AFFIRMATIVE ACTION PLAN FOR WOMEN AND MINORITIES 2003**



**DUKE UNIVERSITY**  
AND THE DUKE UNIVERSITY HEALTH SYSTEM\*

**March 2003**

Prepared by: Office for Institutional Equity

Contact: Inderdeep Chatrath, PhD

OIE.3.20.2003 AAP

*\*Separate plans are prepared for DUHS affiliates Raleigh Community Hospital and Durham Regional Hospital.*





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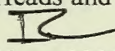
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**MEMORANDUM**

To: Deans, Department Heads and Other Administrators  
From: Inderdeep Chatrath   
Re: Affirmative Action Plan - 2003  
Date: March 26, 2003

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Enclosed is a copy of the 2003 update of the Affirmative Action Plan for Women and Minorities for Duke University and the Health System. Durham Regional and Raleigh Community Hospitals prepare separate plans and are not included in this Plan.

The Affirmative Action Plan is required of Duke University because Duke receives federal funds and is therefore a "federal contractor." The Plan is not filed with a specific government agency but is retained on the premises for examination by auditors from various agencies. The enforcing agency for Executive Order 11246, which mandates that federal contractors prepare affirmative action plans, is the Office of Federal Contract Compliance Programs.

Internally, the Affirmative Action Plan is used to guide Duke's efforts towards developing a more inclusive and diverse workplace. Please share the Plan with your staff and encourage them to use the information as a management tool.

The organizational structure display has been revised to reflect the recently implemented payroll system and may appear significantly different than the last Plan. Additionally, the workforce data in the Plan reflects a snapshot of the institution as of October 2002. Therefore, it is possible that recent changes in organizational structure and in employee counts may not reflect the current situation. For current and unit-specific information, please contact appropriate departments.

If you have any ideas for ways that we can augment the Affirmative Action Plan to make it more useful for you and your department, please let us know.

Please call me if you have any questions or need additional information.

Thank you.






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February 7, 2003

MEMORANDUM

To: Duke University Colleagues  
From: Nannerl O. Keohane 

This booklet contains the university's updated Affirmative Action Plan for Equal Opportunity. The provisions in this booklet not only satisfy our legal obligations as a recipient of federal funds, but underscore our moral commitment to everyone who works at Duke. Our university intends to take full advantage of people's rich backgrounds and abilities, to recognize and value differences, and to seek inclusiveness. We continue to stand firmly today behind our principled commitment to fair employment practices.

The Office of Institutional Equity acting alone cannot make this vision a reality: it is up to all of us. Please use this document to help your office view plans, policies, and procedures through the lens of equal opportunity, and make sure your colleagues understand that fairness remains a top priority for Duke University.

I ask that you give your personal attention to this matter, and make sure that the principles outlined here are articulated through every hiring and promotion decision in which you take part.





## Foreword by the Vice President for Institutional Equity

When Duke University issued its first Affirmative Action Plan in 1970, President Terry Sanford said:

*"I feel that this Plan is something far beyond a necessary compliance with governmental policy. Members of our community, I believe, will agree with me that it is rooted more deeply in moral consciousness and sound principles of good human relationships. Our achievements under this Plan will depend on the degree to which each of us assumes real responsibility for assuring its success. Our desire is that we follow the spirit as well as the letter of the Plan in an atmosphere of sincere good will."*

President Sanford's sentiment was ratified by the Board of Trustees in a resolution that indicated the University's adherence to a policy of equal opportunity because it is a basic element of human dignity, in addition to being a legal requirement.

Release of the plan followed Executive Order 11246, signed by President Lyndon Johnson in 1965, which required federal contractors to undertake affirmative action to increase the number of minorities they employed. President Richard Nixon extended this Executive Order in 1970, adding the requirement that all federal contractors include "goals and timetables" when underutilization of women or minorities in certain job groups was found.

The Office for Institutional Equity (OIE) was established and charged in 1995 with the responsibility to ensure fair treatment for all members of the Duke community, and to advance the University's diversity goals. OIE monitors data and updates the Affirmative Action Plan annually, working with the President, Provost and senior staff and managers to ensure that Duke recruits, attracts, hires and retains women and minorities. In the quest for a diverse and respectful working and learning environment for everyone, the support and commitment from all members of the Duke community is key. This is an ongoing commitment, a constant work in progress, a goal rather than a conclusion. We take pride that our community includes talented men and women whose backgrounds and experiences differ because of race, culture, religion, sexual orientation and physical abilities.

President Nannerl Keohane has articulated a vision of a Duke community that is "...ideal as possible, rising above all lines of discrimination, built upon cooperation and understanding sympathy as a bond between individuals" (1997 Race Day/United Way Kickoff), and has said that "discrimination in any form poisons the life of an institution...Equal opportunity is a matter of law and conscience, and also of good human relations" (Equal Opportunity Policy brochure).

The 2003 Affirmative Action Plan, while required by law, and by conscience, is a valuable tool by which we can measure our progress toward attracting and retaining talented, diverse and qualified individuals to guide Duke in becoming that "ideal as possible" community.

**Sally M. Dickson**

Vice President, Institutional Equity



## **Confidentiality Notice to the Office of Federal Contract Compliance Program (OFCCP)**

This Affirmative Action Plan (AAP, or Plan) contains substantial confidential information, which is subject to the provisions of 18 USC Section 1905. *Chrysler Corp. v. Brown*, 441 U.S. 281 (1979).

This Affirmative Action Plan is the property of Duke University and is loaned to the Office of Federal Contract Compliance Programs, along with certain other materials requested by the OFCCP, on the condition that the government holds them totally confidential and does not release copies to any person.

Pursuant to 5 U.S.C. Sec. 552, Duke University asserts that at least certain sections, exhibits, and compliance investigation files are exempt from the Freedom of Information Act (FOIA) disclosure provisions. Notice is hereby given of a request pursuant to the regulations of the OFCCP that this AAP be kept confidential.

Duke University does not consent to the release of any information whatsoever contained in this Affirmative Action Plan under the Freedom of Information Act. If the OFCCP or any other Federal agency is considering a request to release any portion of this AAP under the Freedom of Information Act, Duke University asks that the government immediately notify the *Office of the University Counsel* of any and all Freedom of Information Act requests received by the government or any other contemplated release of this AAP or any other information obtained by the government from Duke University.

NOTE: The terms "Affirmative Action Plan," "AAP," or "Plan" include this document and its supporting appendixes, exhibits, documents, data, and all materials provided by Duke University to the OFCCP or other governmental agency.







# Table of Contents

Duke University Affirmative Action Plan 2003

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Letter From the President.....	i
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Foreword by the Vice President for Institutional Equity.....	ii
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## Introduction

Federal Contract Compliance Programs .....	1
Contents of Duke University's Affirmative Action Plan .....	2
Equal Opportunity Policy Statement.....	3
Administration of the Affirmative Action Program .....	5

## Section I: Workforce Analysis

Overview.....	6
Table 1: Organizational Profile: Faculty and Staff .....	8
Table 2: Distribution of Regular Rank Faculty by Gender and Race.....	9
Table 3: Exempt and Non-Exempt Staff: Job Group Distribution by Gender and Race.....	12
Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit .....	13

## Section II: Utilization Analysis and Placement Goals

Calculation of Availability.....	21
Utilization Analysis .....	22
Placement Goals .....	22
Technical Definitions.....	23
Table 5: Utilization Analysis for Faculty .....	24
Table 6: 2003 Placement Goals for Faculty .....	25
Table 7: Progress Towards Placement Goals for Faculty .....	26
Table 8: Utilization Analysis for Staff by Job Group .....	27
Table 9: 2003 Placement Goals for Exempt and Non-Exempt Staff.....	28
Table 10: Progress Towards Placement Goals for Exempt and Non-Exempt Staff .....	29

## Section III: Initiatives to Alleviate Underutilization

Faculty .....	30
Exempt Staff .....	32
Non-Exempt Staff.....	34

## Section IV: Monitoring & Reporting Systems

Recruitment Process.....	37
Adverse Impact Analysis and Applicant Flow Monitoring.....	38

## Appendices

Appendix A: Description of Job Groups .....	A1
Appendix B: Workforce Distribution for Selected Departments .....	A4
Appendix C: Best Practices: Equal Opportunity and Affirmative Action .....	A8
Appendix D: Duke University Harassment Policy and Procedures.....	A21
Appendix E: Duke University Consensual Relationship Policy .....	A24







## Introduction

### Duke University Affirmative Action Plan 2003

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#### **Federal Contract Compliance Programs\***

Executive Order 11246, as amended, prohibits federal contractors and subcontractors from discriminating in employment decisions on the basis of race, color, religion, sex or national origin. The Executive Order also requires federal contractors to take affirmative action to insure that equal opportunity is provided in all aspects of their employment practices. The U.S. Department of Labor has designated the Office of the Federal Contract Compliance Programs (OFCCP) to administer and enforce this order.

Each federal contractor with 50 or more employees and \$50,000 or more in government contracts is required to develop a written affirmative action program (AAP) for each of its establishments. The affirmative action program is required of Duke University because Duke receives federal funds and is therefore a "federal contractor." The AAP is updated annually. The plan is not filed with a specific government agency but is retained on the premises for examination by OFCCP and possibly other agencies for the purposes of conducting compliance reviews.

AAPs must be developed for these groups:

1. Minorities and women (41 CFR 60-1 and 60-2);
2. Special disabled veterans, Vietnam era veterans and other covered veterans (41 CFR 60-250); and
3. Individuals with disabilities (41 CFR 60-741).

The regulations define an AAP as a set of specific and result-oriented procedures to which a contractor commits to apply every good faith effort. The AAP is developed by the contractor to assist the contractor in a self-audit of its workforce and to monitor progress in the equal opportunity and affirmative action initiatives.

The AAP identifies areas, if any, in the contractor's workforce that reflect underutilization of women and minorities. The regulations at 41 CFR 60-2.11(b) define underutilization as having fewer minorities or women in a particular job group (occupational category) than would reasonably be expected by their availability. When determining availability of women and minorities, contractors consider, among other factors, the presence of minorities and women having requisite skills in a geographic area in which the contractor can reasonably recruit.

Based on the utilization analysis and the availability of qualified individuals, the contractors establish goals to reduce or overcome the underutilization. Good faith efforts may include expanded efforts in outreach, recruitment, training and other activities to increase the pool of qualified minorities and females. The actual selection decision is to be made on a non-discriminatory basis.

The placement goals are then established based on the availability of qualified applicants in the job market or qualified candidates in the employer's workforce. Executive Order numerical goals do not create set-asides for specific groups; nor are they designed to achieve proportional representation or equal results. Rather, the goal-setting process in affirmative action planning is used to target and measure the effectiveness of affirmative action efforts to eradicate and prevent discrimination.

The Executive Order and its supporting regulations do not authorize OFCCP to penalize contractors for not meeting goals. The regulations at 41 CFR 60-2.12(e), 60-2.30 and 60-2.15 specifically prohibit quotas and preferential hiring and promotions under the guise of affirmative action numerical goals. In other words, discrimination in the selection decision is prohibited.

**\*Source: US Department of Labor, Employment Standards Administration,  
Office of Federal Contract Compliance Programs**



# **Contents of Duke University's Affirmative Action Plan**

## ***Section I: Workforce Analysis***

Section I of Duke's AAP is a workforce analysis showing the composition of Duke's workforce, as of October 2002, by race and gender within job group categories (type of work) and organizational units.

The organizational structure for faculty and staff has been revised to reflect the recently implemented payroll system. As part of Duke University's conversion to the SAP R/3 financial management system, both the University and the Health System switched from the old payroll system to the new R/3 software.

The distribution by organizational unit presented in Tables 1 through 4 follow Company Code (CC) groupings. In the SAP R/3 system, CCs represent financial entities. Note that the CC groupings do not necessarily reflect the organizational hierarchy or the reporting relationships, although the financial structure, to a large extent, mirrors the organizational hierarchy.

Table 1 presents a summary of the workforce demographics for Duke University and the Duke University Health System for faculty and staff. Tables 2 through 4 describe the faculty and staff by occupational categories and organizational units.

## ***Section II: Utilization Analysis and Placement Goals***

Section II of the AAP is a utilization analysis which compares Duke's current workforce with general workforce availability data to determine whether women or minorities are "underutilized" within job group categories at Duke. When underutilization of minorities and women is identified, a placement goal is set to move towards adequate representation.

This year's plan includes changes that were instituted last year in response to the revision of 41 CFR §60, which became effective on December 13, 2000. The revised federal regulations resulted in two major changes:

1. A two-factor analysis instead of an eight-factor analysis for determining underutilization (more detail on the two-factor analysis can be found in Section II); and,
2. A slight modification in the way in which hiring goals are conceptualized.

Methodology for determining underutilization is included in this section. The calculations and availability figures are presented in Table 5 for faculty and for staff in Table 8.

Pursuant to the revised regulations, one-year placement goals for job groups that are identified as underutilized for women or minorities are expressed as a hiring percentage target. The 2003 Placement goals for faculty and staff are presented in Tables 6 and 9, respectively.

As a measure of progress and to examine goal attainment for faculty and staff, the actual hiring rates for 2002 are compared with the placement goals for 2002 (Tables 7 and 10).





### ***Section III: Initiatives to Alleviate Underutilization***

Section III identifies areas of underutilization of women and/or minorities that require special attention. It provides an analysis of the shortcomings in each of three major employment categories: faculty, exempt staff and non-exempt staff. This section examines contributing factors and describes affirmative action programs and initiatives being pursued by the University to guide progress towards greater diversity among selected groups.

### ***Section IV: Monitoring and Reporting Systems***

Section IV provides a description of the University's efforts to systematically and effectively track progress in advancing the organization's good faith efforts to address under-representation in selected areas. Several specific programs to monitor and to report progress to senior officers and to managers are also outlined in this section. Additionally, the Best Practices section (Appendix C) describes several initiatives that have been implemented to alleviate the shortcomings that were identified by the formal and informal systems of self-audit that are currently in place.

### ***Appendices***

The Appendices provide additional information. The appendices include the following: Description of Job Groups, Workforce Distribution for Selected Departments, Best Practices: Equal Opportunity and Affirmative Action, Duke University Harassment Policy and Procedures, and Duke University Consensual Relationship Policy.

## **Equal Opportunity Policy Statement**

Duke University prohibits discrimination and harassment, and provides equal employment opportunity without regard to race, color, religion, national origin, disability, veteran status, sexual orientation or preference, sex or age. We also make special efforts to recruit, employ and promote qualified minorities, women, individuals with disabilities and veterans.

### ***Commitment to Equal Opportunity***

Duke University is an institution and community committed to the principles of excellence, fairness and respect for all people. As part of this commitment we actively value diversity in our workplace and seek to take advantage of the rich backgrounds and abilities of everyone. Our Equal Opportunity Policy affirmatively protects all Duke employees and applicants, ensuring that employment decisions are based on individual merit, not stereotypes and biases. Duke's Policy applies to recruitment, hiring, appointment and promotion for all positions. It also governs personnel actions such as determining compensation, layoffs, terminations and benefits.

Providing equal protection in employment is only one aspect of achieving diversity at Duke. Because a variety of social and historical barriers have limited access to employment and the advancement of certain groups in the past, we make special efforts to identify, recruit, hire and promote qualified people who are traditionally underrepresented in our workforce.

Our Equal Opportunity Policy is an important part of our compliance with federal and state laws and regulations. More importantly, this Policy guides us in our institutional commitment to diversity and fairness, guaranteeing that every employee is welcome and can contribute his or her talents to help Duke achieve excellence in all our endeavors.

### ***Dissemination***

The Equal Opportunity Policy is distributed to all members of the University community. Copies are provided to new employees at orientation sessions and to union officials representing





University employees, and are posted on bulletin boards throughout the University. The statement is published in the Duke University Policy Manual, the Faculty Handbook, the Staff Handbook, and the Duke Hospital Policy and Procedure Manual.

The Policy is discussed in management training programs and is described in various literature distributed by the University. Nondiscrimination clauses are included in all union agreements and all such contractual provisions are reviewed to ensure that they are nondiscriminatory. Purchase orders, leases, contracts, etc. incorporate an equal opportunity clause as required.

Publications of the University picture both minority and non-minority men and women and persons with disabilities. All recruiting advertisements state that the University is an Equal Opportunity/Affirmative Action Employer.

### ***Implementation***

Every member of the Duke University community needs to participate wholeheartedly in the effort to ensure that our workplace is not just free from unlawful and unconscionable discrimination and harassment but that we also respect and celebrate diversity. Because managers and supervisors make so many personnel decisions, they have particular responsibility for achieving our institutional equal opportunity goals.

The Office for Institutional Equity (OIE) implements and monitors the policy throughout the University. Under the leadership of the Vice President for Institutional Equity, OIE develops the University Affirmative Action Plan, reviews employee recruitment, hiring and other personnel activities, and provides technical advice and training to members of the University community.

### ***Enforcement***

As chief executive officer of the University, the President has the legal responsibility for compliance with the Equal Opportunity laws. The Provost, the Chancellor for Health Affairs, the Vice Presidents, and other senior officers are all responsible to the President for implementing the Equal Opportunity Policy within their administrative areas. Deans, directors, chairpersons and managers of the various schools, departments and programs initiate, administer and manage personnel activities within their areas to ensure full implementation of the Policy.

The Office for Institutional Equity handles all violations of the Equal Opportunity Policy, including allegations of discrimination or harassment. Concerns or questions about the Equal Opportunity Policy or its implementation can be forwarded to the OIE office.



## Administration of the Affirmative Action Program

The Office of the Vice President for Institutional Equity is responsible for developing the University Affirmative Action Plan in collaboration with the various departments of the University. The Office also provides assistance to departments in complying with the requirements of the Plan.

In recognition of the management responsibility detailed in the policy statements above, the University has provided a copy of the Plan to each organizational unit of the University. The Plan is also available for review upon request.

### University Compliance Officer:

Sally M. Dickson, JD  
Vice President, Institutional Equity  
Trent Hall, Box 90012  
(919) 684-8222  
[sally.dickson@duke.edu](mailto:sally.dickson@duke.edu)

### Affirmative Action Plan Administrator:

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Divisional responsibilities are coordinated by the following persons:

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Human Resources Managers: At academic and administrative departments











## Section I: Workforce Analysis

Duke University Affirmative Action Plan 2003

### Overview

The workforce analysis generated for the Affirmative Action Plan is produced from the payroll data available as of October 1st of each year. These data provide workforce distributions for the University and the Health System in two main categories: 1) job groups and 2) organizational units. Job groups are categories of jobs having similar content, wage rates and opportunities. Organizational units reflect entities defined by company codes. Company codes are the highest organizational levels that separate the various corporate entities.

In the job group analysis, faculty are broken down by academic discipline and staff are divided into two categories: exempt staff and non-exempt staff. Exempt staff are those who are exempt from the federal Fair Labor Standards act; broadly, they are executive, administrative, and professional salaried workers. There are eight job groups in the exempt category and nineteen job groups in the non-exempt category. Definitions of the various job groups are provided in Appendix A.

The organizational structure for the staff has been revised to reflect the recently implemented payroll system. As part of Duke University's conversion to the SAP R/3 financial management system, both the University and the Health System switched from the old payroll system to the new R/3 software.

The workforce data in the Plan reflects a snapshot of the institution as of October 2002. Therefore, it is possible that recent changes in organizational structure and in employee counts may not reflect the current situation. For current and unit-specific information, contact appropriate offices.

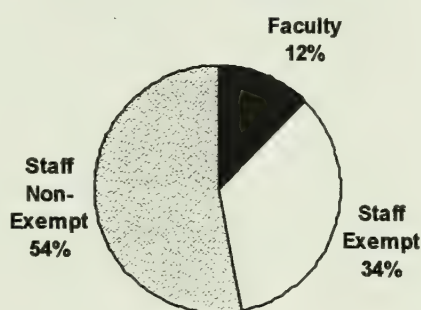
The distribution of faculty and staff by organizational unit is presented in Tables 1 through 4. As noted earlier, the organizational structure follows the company codes scheme. The company code groupings do not necessarily reflect the organizational hierarchy or the reporting relationships, although the financial structure, to a large extent, mirrors the organizational hierarchy.

The multiple changes resulting from the new system and the evolving health system limit our ability to make direct comparisons with data from previous years. Therefore, we recommend using caution in interpreting trends in employment figures and other data over the last few years.

The data for Duke's entire workforce are summarized in Table 1. Tables 2 – 4 display job group data for faculty and staff including the total number of incumbents and the number of female and minority employees in each category.

All supporting data and worksheets for the workforce analyses are available from the Office for Institutional Equity for examination by any member of the University community.

**Workforce Distribution**



### Faculty

Table 2 displays the distribution of faculty by organizational unit. Faculty distribution data for females and minority group members is provided by academic discipline in seven categories (Social Sciences, Humanities, Natural Sciences, Professional Schools, School of Nursing, Basic Sciences, and Clinical Sciences). Only "regular rank" faculty, a category which includes tenure track and selected





non-tenure track faculty are included in these analyses. There are approximately 2,600 non-regular rank faculty who are excluded. Non-regular rank faculty includes adjunct, research, and short-term and courtesy appointments.

This year's faculty total is 2,372, as compared to 2,299 in 2002 (a 3% increase) and 2,199 in 2001 – an overall increase of 8% since 2001. Growth in the School of Medicine faculty has contributed significantly to the overall increase in total faculty. The growth in total faculty has also resulted in significant gains for women and minority faculty. Since the 2002 Plan year, the women faculty grew by 8% and minority faculty by an impressive 22%.

## **Staff**

Distribution of staff by organizational units is presented in Table 4. Staff information is divided into seven sections: Duke University, Health System, Duke Health Community Care, Patient Revenue Management Organization, Duke Labco, Duke Hospital and Duke University Affiliated Physicians. Staff figures used in the Plan exclude the following groups: house staff, student interns, student employees, temporary and contract employees, part-time employees (less than 30 hours per week and/or less than 52 weeks a year), and all employees of Durham Regional Hospital, Raleigh Community Hospital, and Durham Ambulatory Surgery Center employees.

The distribution of staff by organizational units has been considerably revised, particularly in Health System. Readers are advised to be careful in making comparisons with data from previous years.

There are a total of 16,615 staff reported in the current Plan. This figure represents a 7% reduction since 2002. The overall reductions reflect a 4% decrease among exempt staff and 9% among non-exempt staff. The reductions in total staff have had a proportionate impact on females and minorities, as well.



**Table 1: Organizational Profile: Faculty and Staff**

			Female	Minorities				
		Total	All Races	Total	Black	Hispanic	Asian	American Indian
Faculty								
Arts and Sciences		598	181	103	35	17	51	0
Professional Schools		320	62	51	11	3	37	0
Schools of Medicine and Nursing		1,454	428	216	41	25	150	0
Faculty Total:		2,372	671	370	87	45	238	0
Staff – Exempt and Non-Exempt by Company Codes								
Duke University								
10	Duke University	9,544	6,166	2,809	2,078	145	559	27
Duke University Health System(DUHS)								
20	Duke University Health System	849	475	527	494	16	17	0
21	Duke Health Community Care	154	119	43	42	0	1	0
24	Patient Revenue Management Organization	956	801	464	448	10	3	3
26	Duke Labco	474	366	210	167	11	30	2
30	Duke Hospital	4,336	3,422	1,699	1,485	36	170	8
40	Duke University Affiliated Physicians	302	272	85	74	7	3	1
DUHS Subtotal:		7,071	5,455	3,028	2,710	80	224	14
Staff Total:		16,615	11,621	5,837	4,788	225	783	41
Staff & Faculty:		18,987	12,292	6,207	4,875	270	1,021	41

**Notes:**

1. Faculty Data were obtained from Faculty Management System and the Faculty Profile database (School of Medicine). It reflects October 2002 snapshot.
2. Staff data were obtained from the University Payroll System and reflects October 2002 snapshot.
3. Company Code designations are reflected by the numbers to the left of the unit description.





**Table 2: Distribution of Regular Rank Faculty by Gender and Race**

**Arts and Sciences**

		Female		Minorities			
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Humanities</b>							
African American Studies	2	2	2	2	0	0	0
Art and Art History	14	9	2	1	0	1	0
Asian & African Languages	11	7	10	0	0	10	0
Classical Studies	10	3	2	2	0	0	0
Dance	7	5	3	2	0	1	0
English	34	15	6	4	0	2	0
Germanic Languages	7	3	0	0	0	0	0
Music	22	7	5	3	1	1	0
Philosophy	13	1	2	0	1	1	0
Literature	17	7	6	2	3	1	0
Religion	16	4	4	2	1	1	0
Romance Studies	23	13	8	1	7	0	0
Slavic Language & Literature	5	5	0	0	0	0	0
Theater Studies	7	4	1	1	0	0	0
University Writing Program	2	0	0	0	0	0	0
<b>Humanities Total:</b>	<b>190</b>	<b>85</b>	<b>51</b>	<b>20</b>	<b>13</b>	<b>18</b>	<b>0</b>
<b>Social Sciences</b>							
Cultural Anthropology	12	6	3	3	0	0	0
Demographic Studies	5	1	1	0	0	1	0
Economics	31	4	0	0	0	0	0
Education	4	2	0	0	0	0	0
Health, Physical Education & Recreation	10	3	0	0	0	0	0
History	34	13	4	3	0	1	0
Political Science	32	6	3	1	0	2	0
Psychology: Social & Health	13	7	3	1	0	2	0
Public Policy	35	8	5	3	0	2	0
Sociology	22	7	4	0	1	3	0
Women's Studies	5	5	1	1	0	0	0
<b>Social Sciences Total:</b>	<b>203</b>	<b>62</b>	<b>24</b>	<b>12</b>	<b>1</b>	<b>11</b>	<b>0</b>

Source: Faculty Management System, October 2002



**Table 2: Distribution of Regular Rank Faculty by Gender and Race (continued)****Arts and Sciences (continued)**

	Total	Female	Total	Minorities			American Indian
		All Races		Black	Hispanic	Asian	
Natural Sciences							
Bio Anthropology/Anatomy	10	6	0	0	0	0	0
Biology	45	11	4	0	0	4	0
Chemistry	22	2	2	0	0	2	0
Computer Science	25	3	7	1	1	5	0
Institute of Statistics & Decision Sciences	13	3	2	0	0	2	0
Mathematics	38	4	4	1	1	2	0
Physics	34	4	9	1	1	7	0
Psychology: Experimental	18	1	0	0	0	0	0
Natural Sciences Total:	205	34	28	3	3	22	0
Arts and Sciences Total:	598	181	103	35	17	51	0

**Professional Schools**

Divinity School	31	8	5	5	0	0	0
Fuqua School of Business	100	17	17	1	0	16	0
Law School	42	9	3	3	0	0	0
Nicholas School of the Environment	46	9	4	0	1	3	0
Pratt School of Engineering							
Engineering - Biomedical	32	7	10	0	1	9	0
Engineering - Civil	17	1	2	1	1	0	0
Engineering - Electrical	24	6	6	1	0	5	0
Engineering - Mechanical	28	5	4	0	0	4	0
<b>Professional Schools Total:</b>	<b>320</b>	<b>62</b>	<b>51</b>	<b>11</b>	<b>3</b>	<b>37</b>	<b>0</b>

Source: Faculty Management System, October 2002





**Table 2: Distribution of Regular Rank Faculty by Gender and Race (continued)****Schools of Medicine and Nursing**

	Total	Female	Total	Minorities			American Indian
		All Races		Black	Hispanic	Asian	
School of Medicine							
Basic Sciences							
Bio Anthropology/Anatomy	4	0	0	0	0	0	0
Biochemistry	23	5	3	0	0	3	0
Cell Biology	18	5	1	0	0	1	0
Molecular Genetics & Microbiology	24	4	7	1	4	2	0
Immunology	13	2	5	0	0	5	0
Neurobiology	18	2	5	1	1	3	0
Pathology	68	16	13	1	2	10	0
Pharmacology	33	9	7	0	1	6	0
Basic Sciences Total:	201	43	41	3	8	30	0
Clinical Sciences – Medicine							
Biostatistics	29	10	4	0	0	4	0
Community and Family Medicine	62	30	2	2	0	0	0
Medicine	389	116	66	12	3	51	0
Pediatrics	104	39	17	4	5	8	0
Psychiatry & Behavioral Science	150	56	16	3	2	11	0
Radiation Oncology	27	5	6	1	0	5	0
Radiology	73	11	10	0	3	7	0
Clinical Sciences – Surgery							
Anesthesiology	91	24	13	1	0	12	0
Obstetrics & Gynecology	57	22	6	6	0	0	0
Ophthalmology	36	9	12	1	2	9	0
Surgery	200	32	20	6	2	12	0
Clinical Sciences Total:	1,218	354	172	36	17	119	0
School of Medicine Total:	1,419	397	213	39	25	149	0
School of Nursing	35	31	3	2	0	1	0
Schools of Medicine and Nursing Total:	1,454	428	216	41	25	150	0
Faculty Total:	2,372	671	370	87	45	238	0

Source: Faculty Management System, October 2002



**Table 3: Exempt and Non-Exempt Staff: Job Group Distribution by Gender and Race**

Job Group (See Appendix A for Job Group descriptions)	Total	Female	Total	Minorities			
		All Races		Black	Hispanic	Asian	American Indian
Exempt Staff							
11: Officials & Managers	849	449	99	77	6	16	0
31: Prof I (14-16)	655	368	68	42	5	20	1
32: Prof II (11-13)	986	783	146	116	7	23	0
33: Prof III (11-13)	1,181	832	208	154	12	41	1
34: Prof IV (11-13)	893	587	182	110	13	58	1
35: Prof V (10 & below)	836	646	169	146	10	12	1
36: Research Associates (00 and 10)	1,008	401	394	25	40	319	10
37: Professional Librarians (00 and 14)	111	77	14	8	2	4	0
Non-Exempt Staff							
38: Clinical Nurses-Registered (10)	1,308	1,159	309	203	7	96	3
39: Staff Nurses-Registered (11)	131	121	14	6	1	7	0
Clerical							
41: Pay levels 00 & 1 – 4	305	165	188	178	3	6	1
42: Pay level 5	445	374	305	295	2	8	0
43: Pay level 6	1,034	940	484	463	11	7	3
44: Pay levels 7 & above	1,495	1,363	570	536	14	15	5
Technical/Paraprofessional							
51: Pay levels 00 & 2 – 6	855	670	526	494	11	17	4
52: Pay level 7	759	594	238	204	11	18	5
53: Pay levels 8 & above	1,900	1,264	532	394	31	103	4
Skilled Crafts							
61: Bargaining Union (1-6)	12	0	5	5	0	0	0
62: Bargaining Union (7-10)	89	1	18	17	1	0	0
63: Non-Union (00 & 1-7)	55	0	4	4	0	0	0
64: Non-Union (8 & 9)	84	2	8	7	0	1	0
65: Non-Union (10 & above)	62	0	3	2	1	0	0
Service							
71: Bargaining Union (1)	482	337	459	440	16	2	1
72: Bargaining Union (2-6)	462	177	427	410	15	2	0
73: Non-Union (2)	47	20	40	39	1	0	0
74: Non-Union (3 & 4)	304	160	237	228	3	6	0
75: Non-Union (00 & 5-13)	267	131	190	185	2	2	1
Staff Total:	16,615	11,621	5,837	4,788	225	783	41

**Note:** Numbers in parenthesis indicate pay levels.





**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit****Table 4A: Duke University – Company Code 10**

		Female			Minorities		
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>President's Office</b>							
President's Office	10	8	0	0	0	0	0
President - Emeritus	2	2	0	0	0	0	0
University Counsel	11	6	0	0	0	0	0
University Secretary's Office	4	4	0	0	0	0	0
<b>President's Office Subtotal:</b>	<b>27</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Executive Vice President</b>							
Athletics and Health, Physical Education and Recreation	150	57	12	11	0	1	0
Alumni & Development	118	90	17	16	1	0	0
Auxiliary Services	639	310	408	380	23	5	0
Capital Assets	4	2	0	0	0	0	0
Chapel Services	9	6	1	1	0	0	0
Deputy Treasurer	45	40	14	13	0	1	0
Director Internal Audit	11	4	2	2	0	0	0
Duke Forest	6	2	0	0	0	0	0
Duke University Police Department	135	38	57	51	2	4	0
Executive Vice President – Other	8	5	2	2	0	0	0
Facilities Management	260	36	81	79	1	0	1
Financial Services	155	114	44	38	1	3	2
Human Resources	128	103	49	43	5	1	0
Information Technology	243	102	59	50	1	7	1
Institutional Equity	13	11	8	7	0	1	0
Procurement Services	42	28	13	13	0	0	0
Public Affairs	32	14	6	5	1	0	0
University Architect	9	3	2	2	0	0	0
<b>Executive Vice President Subtotal:</b>	<b>2,007</b>	<b>965</b>	<b>775</b>	<b>713</b>	<b>35</b>	<b>23</b>	<b>4</b>
<b>Executive Vice President – Asset Mgmt</b>	<b>25</b>	<b>11</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>

Source: University Payroll System, October 2002



**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4A: Duke University – Company Code 10 (continued)**

		Female		Minorities			
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Provost</b>							
<b>Arts &amp; Sciences</b>							
Arts & Sciences Departments*	385	220	80	35	3	41	1
Arts & Sciences Programs**	202	131	62	41	4	15	2
Dean of Faculty	83	41	21	12	5	4	0
Dean of Trinity College	31	27	11	9	0	2	0
Trinity College Programs	51	42	11	11	0	0	0
<b>Duke Press</b>	<b>86</b>	<b>60</b>	<b>14</b>	<b>9</b>	<b>1</b>	<b>4</b>	<b>0</b>
<b>Law Agencies</b>	<b>10</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Student Affairs</b>	<b>210</b>	<b>129</b>	<b>133</b>	<b>129</b>	<b>1</b>	<b>2</b>	<b>1</b>
<b>Talent Identification Program</b>	<b>37</b>	<b>29</b>	<b>10</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>0</b>
<b>Provost Academic Support (PAS)</b>							
Art Museum	13	7	3	3	0	0	0
Center for International Studies	10	10	0	0	0	0	0
Cognitive Neuro-Sciences	20	9	3	1	0	2	0
Interdisciplinary Centers & Programs	12	8	0	0	0	0	0
John Hope Franklin Center	9	6	5	4	0	1	0
Kenan Institute for Ethics	6	6	1	1	0	0	0
Library	224	153	57	42	3	12	0
PAS – Administration	112	84	27	22	2	3	0
Primate Center	23	14	4	2	0	2	0
Research Policy & Administration	14	11	4	4	0	0	0
<b>Professional Schools</b>							
Divinity School	50	37	4	4	0	0	0
Fuqua School of Business	207	135	47	35	5	7	0
Graduate School	22	19	2	2	0	0	0
Nicholas School of Environment	140	76	15	4	5	6	0
Pratt School of Engineering	125	53	34	4	1	28	1
School of Law	89	67	16	13	0	3	0
<b>Provost Subtotal:</b>	<b>2,171</b>	<b>1,380</b>	<b>565</b>	<b>395</b>	<b>30</b>	<b>135</b>	<b>5</b>

\*Detailed breakdown in Appendix B, Table B.1

\*\*Detailed breakdown in Appendix B, Table B.2

Source: University Payroll Data, October 2002





**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4A: Duke University – Company Code 10 (continued)**

	Female		Minorities				American Indian
	Total	All Races	Total	Black	Hispanic	Asian	
Chancellor, Health Affairs							
Medical Center Administration							
Administration, Exec Vice President	1	1	0	0	0	0	0
Chief Executive Officer / Chief Operating Officer	1	1	1	1	0	0	0
Corporate	1	0	0	0	0	0	0
Engineering & Operations	195	18	18	16	2	0	0
Facilities Plan, Design & Construction	23	11	5	5	0	0	0
Medical Center Development	38	34	11	9	1	1	0
Occupational & Environmental Safety	5	3	0	0	0	0	0
Office of the Chancellor	23	15	4	4	0	0	0
Transportation & Parking	11	2	1	1	0	0	0
Vice Chancellor Administration & Chief Financial Officer	14	10	1	0	0	1	0
Vice Chancellor Health Affairs	10	8	6	6	0	0	0
Vice Chancellor Special Projects	3	2	0	0	0	0	0
Medical Center Admin. Subtotal:	325	105	47	42	3	2	0
School of Medicine							
Allied Health Programs	11	11	4	4	0	0	0
Basic Science Departments*	566	308	205	58	20	125	2
Centers**	1,009	786	244	199	9	35	1
Clinical Research Unit	25	24	5	5	0	0	0
Clinical Science Departments*	2,433	1,805	646	376	37	219	14
Dean	44	35	11	9	1	1	0
Medical Center Library	42	29	17	17	0	0	0
Medical Center Service Components	61	31	35	32	0	3	0
Medical Center Shared Resources	3	0	0	0	0	0	0
Vice Dean, Education	103	70	25	20	1	4	0
School of Medicine Subtotal:	4,297	3,099	1,192	720	68	387	17

\*Detailed breakdown in Appendix B, Table B.3

\*\*Detailed breakdown in Appendix B, Table B.4

Source: University Payroll Data, October 2002



**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4A: Duke University – Company Code 10 (continued)**

	Total	Female	Total	Minorities			
		All Races		Black	Hispanic	Asian	American Indian
Chancellor, Health Affairs (continued)							
School of Nursing	34	29	16	15	1	0	0
Private Diagnostic Clinic (PDC)							
Administration	59	45	11	10	1	0	0
Clinical – General	7	7	0	0	0	0	0
Clinical – Medical	150	135	75	71	1	3	0
Clinical – Multidisciplinary	21	21	9	8	1	0	0
Clinical – Surgery	139	113	45	43	0	2	0
Outreach	141	137	32	27	2	2	1
PDC (Department Accounts)	5	5	0	0	0	0	0
Private Diagnostic Clinic Subtotal:	522	463	172	159	5	7	1
Biochemistry Journal	2	2	1	1	0	0	0
Divers Alert Network	48	25	9	6	1	2	0
Hospital Women’s Auxiliary	8	6	0	0	0	0	0
Medical Center Child Protection Unit	21	17	10	7	2	1	0
Nearly Nu Shop	3	3	1	0	0	1	0
Chancellor, Health Affairs Subtotal:	5,260	3,749	1,448	950	80	400	18
Agencies – All Others	54	41	15	14	0	1	0
Duke University Total:	9,544	6,166	2,809	2,078	145	559	27

Source: University Payroll Data, October 2002



**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4B: Duke University Health System – Company Code 20**

	Female		Minorities				
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Health System Administration</b>							
<b>President / Chief Executive Officer</b>							
President / Chief Executive Officer	26	21	5	3	1	1	0
Vice President Community Relations	2	2	2	2	0	0	0
<b>Executive Vice President</b>							
Associate Vice President Administration	2	2	0	0	0	0	0
Environmental Services	464	273	433	418	12	3	0
Parking Operations	20	7	5	5	0	0	0
Chief Information Officer	160	67	52	42	3	7	0
Director Corporate Programs	2	2	0	0	0	0	0
Director Government Relations	4	3	0	0	0	0	0
Director Clinical Risk Management	11	9	1	1	0	0	0
Director Procurement Services	1	0	0	0	0	0	0
Executive Vice President	3	2	1	1	0	0	0
Occupational & Environmental Safety	55	22	17	13	0	4	0
Vice President Administration	2	2	0	0	0	0	0
Vice President Marketing & Planning	30	21	2	2	0	0	0
<b>Chief Financial Officer</b>							
Chief Financial Officer	54	34	7	5	0	2	0
Other Finance	2	0	0	0	0	0	0
<b>Health System Counsel</b>							
Compliance Officer	3	2	0	0	0	0	0
Health System Counsel	1	1	0	0	0	0	0
<b>Hospital &amp; Clinical Facilities</b>							
Chief Hospital & Health Care Facilities	6	4	1	1	0	0	0
<b>Chief Medical Officer</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Duke University Health System Total:</b>	<b>849</b>	<b>475</b>	<b>527</b>	<b>494</b>	<b>16</b>	<b>17</b>	<b>0</b>

Source: University Payroll Data, October 2002





**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4C: DUHS Affiliates - Company Codes 21, 24 and 26**

	Female			Minorities			American Indian
	Total	All Races	Total	Black	Hispanic	Asian	
Duke Health Community Care – Company Code 21							
Administration	32	24	7	7	0	0	0
Home Health Services	35	29	11	10	0	1	0
Hospice Services	54	45	17	17	0	0	0
Infusion Services	31	19	8	8	0	0	0
Unicorn Bereavement Services	2	2	0	0	0	0	0
Duke Health Community Care Total:	154	119	43	42	0	1	0
Patient Revenue Management Organization – Company Code 24							
Administrative Director	16	10	4	3	1	0	0
Charge Capture	110	100	43	41	1	1	0
Contract Coordination	2	1	1	1	0	0	0
Customer Service	38	34	22	21	1	0	0
Finance	74	60	27	26	1	0	0
Hospital Billing & Collections	65	57	28	28	0	0	0
Human Resources	3	3	0	0	0	0	0
Information Technology	45	21	9	8	0	0	1
Professional Billing & Collections	121	106	54	51	2	1	0
Service Access	480	407	275	268	4	1	2
Overhead	2	2	1	1	0	0	0
PRMO Total:	956	801	464	448	10	3	3
Duke Labco – Company Code 26							
General Manager – DRH	73	61	41	31	2	8	0
General Manager – DUH	376	284	161	129	8	22	2
General Manager – RCH	25	21	8	7	1	0	0
Duke Labco Total:	474	366	210	167	11	30	2

Source: University Payroll System, October 2002



**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)**  
**Table 4D: Duke Hospital – Company Code 30**

	Female		Minorities				
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Chief Executive Officer</b>							
Chief Executive Officer	2	2	0	0	0	0	0
Chief Financial Officer	34	28	5	4	0	1	0
Chief Nursing Officer	207	188	53	48	3	2	0
Hospital Cost Accounting	3	3	1	1	0	0	0
Management Engineering	16	6	2	1	0	1	0
Process Reengineering	4	2	1	0	1	0	0
Special Assignments	60	46	18	15	0	3	0
<b>Chief Operating Officer</b>							
Communications	1	1	1	1	0	0	0
Director of Human Resources	3	2	1	1	0	0	0
Hospital Director	10	7	4	4	0	0	0
Fellowship Program	4	3	0	0	0	0	0
Operations Administration	7	6	2	2	0	0	0
Tumor Registry	8	8	3	2	0	1	0
<b>ED/Periop/Med-Surg/Onc</b>							
Ambulatory Surgery Center	71	55	22	20	0	2	0
Anesthesia	67	42	16	15	0	1	0
Associate Operating Officer – Perioperative Services	9	7	2	1	0	1	0
Emergency Services	283	180	77	72	2	3	0
Medical/Surgical & Critical Care	388	348	178	151	1	24	2
Oncology Services	201	174	65	57	2	5	1
Operating Rooms	302	241	137	107	3	27	0
Sr. ACCO	99	87	62	53	1	8	0
Support Services	57	35	36	34	1	1	0
Wound Management	8	7	2	2	0	0	0
<b>Employee and Customer Programs</b>							
Associate Operating Officer	8	7	2	2	0	0	0
Clinical Dieticians	13	13	3	1	0	1	1
Pastoral Care	17	11	4	4	0	0	0
Patient Visitor Services	41	28	23	17	5	1	0
Social Work/Discharge Planners	52	43	16	13	2	1	0

**Source: University Payroll System, October 2002**





**Table 4: Exempt and Non-Exempt Staff: Distribution by Organizational Unit (continued)****Table 4D: Duke Hospital - Company Code 30 (continued)**

	Female		Minorities				
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Heart Center</b>							
Associate Operating Officer	22	16	5	3	0	2	0
Cardiac Cath Labs	79	59	25	22	0	3	0
Cardiovascular Services	23	23	17	17	0	0	0
Inpatient Units	349	288	130	99	2	29	0
Respiratory	106	45	18	16	1	1	0
<b>Heart/Psych/Labs/MM</b>							
Sr. Associate Operating Officer	5	2	2	1	0	1	0
Pharmacy Services	225	155	86	68	4	12	2
Transplant Services	37	33	27	23	0	4	0
Psychiatry	27	25	16	16	0	0	0
Radiology Services	378	258	161	154	3	4	0
Children's Services	420	381	94	78	2	12	2
Women's Services	131	129	55	41	2	12	0
Neuro-Muscular Skeletal Services	298	257	91	85	1	5	0
<b>Materials and Logistics</b>							
Facility Services	9	9	2	1	0	1	0
Laundry Services	58	27	52	52	0	0	0
Materials Management	35	12	28	28	0	0	0
Support Services	159	123	154	153	0	1	0
<b>Duke Hospital Total:</b>	<b>4,336</b>	<b>3,422</b>	<b>1,699</b>	<b>1,485</b>	<b>36</b>	<b>170</b>	<b>8</b>

**Table 4E: Duke University Affiliated Physicians - Company Code 40**

Duke University Affiliated Physicians	301	271	85	74	7	3	1
Duke University Health System Equity Investments	1	1	0	0	0	0	0
<b>Duke University Affiliated Physicians Total:</b>	<b>302</b>	<b>272</b>	<b>85</b>	<b>74</b>	<b>7</b>	<b>3</b>	<b>1</b>

Source: University Payroll System, October 2002









## Section II: Utilization Analysis and Placement Goals

### Duke University Affirmative Action Plan 2003

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The utilization analysis compares the representation of protected groups (women and minorities) within Duke University's workforce with the availability of these groups in the appropriate labor market pool for each job group. *Underutilization is defined by regulations 41 (CFR §60-2.14) as fewer women or minorities actually participating in a particular job group than would reasonably be expected given their availability.* The difference between availability and actual participation must be statistically significant in order for the disparity to indicate underutilization. When the discrepancy between actual participation and expected representation is less than one whole person, no further analysis is necessary to conclude that such disparity occurred merely by chance.

This analysis applies standard deviation tests approved by the Supreme Court in Firestone Tire & Rubber Co., Inc. v. Marshall to determine statistical significance in all job groups with 300 or more incumbents. A disparity of two standard deviations or greater indicates underutilization. For job groups with 300 or fewer incumbents, the exact binomial model is used. This model is considered a mathematically appropriate test of statistical significance regardless of job group size or availability percentage.

### Calculation of Availability

Tabulated figures for the utilization analysis are displayed in Tables 5 for faculty and in Table 8 for staff. Availability figures used in the utilization analysis are calculated using the two-factor analysis for each job group prescribed by federal regulations (41 CFR §60-2.14). The first factor involves establishing the percentage of minorities or women with requisite skills in the reasonable recruitment area. This factor incorporates census data and data on skilled training. The second factor involves establishing the percentage of minorities among those promotable, transferable, and trainable within the University. This factor takes into account Duke University data on promotions and in-house training. The two factors and their constituent components are weighted appropriately for each job group.

### Faculty Availability

The data used to calculate faculty availability are drawn from the following reports:

- *Summary Report 2001: Doctorate Recipients from United States Universities* (National Opinion Research Center: Chicago, IL) lists Ph.D. recipients in the United States, broken down by race, gender and academic discipline. Included in these statistics is information regarding degree recipients in the humanities, social sciences, physical sciences, and selected professional disciplines.
- *Enrollments and Graduations in Baccalaureate and Graduate Programs in Nursing, 2001-2002* (American Association of Colleges of Nursing: Washington, DC) lists enrollments and graduates of nursing programs.
- *Distribution of U.S. Medical School Faculty, 2001* (Association of American Medical Colleges, Washington, DC) provides a national listing of medical school faculty.
- *Faculty Appointments Register, 2000-2001* (Association of American Law Schools, Washington, DC) provides the number of persons who have registered to be considered for faculty employment by an American law school.





## Staff Availability

Refined occupational data from the 1990 Census are used to compute staff availability. These figures are drawn from national, North Carolina State, and Durham County, Wake County and Orange County reports of recruiting area data. Other available workforce data and labor market studies are also used for the utilization analysis, including data from the National Center for Education Statistics, U.S. Department of Education and the North Carolina Community College system. For research associates, relevant faculty availability data are used.

## Utilization Analysis

In conducting the Utilization Analysis, the expected workforce for each faculty group and staff job group is calculated by multiplying the actual number of employees in that group by its availability percentage. The expected proportions of women and minorities in each group are compared with the actual percentages at Duke. If the actual representation is less than the expected representation, the appropriate statistical test is used to determine whether the difference is statistically significant. If it is found to be statistically significant, then the group is designated as showing underutilization and a placement goal is determined.

## Placement Goals

The final step in the preparation of the annual update of the Affirmative Action Plan is the calculation of goals the University will work to achieve. The federal regulations state:

*Placement goals may not be rigid and inflexible quotas, which must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups. Quotas are expressly forbidden. In all employment decisions, the contractor must make selections in a nondiscriminatory manner. Placement goals do not provide the contractor with a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that person's race, color, religion, sex, or national origin.*

*(41 CFR §60-2.16)*

It is the overall personnel process that is of primary concern in determining compliance rather than the exact degree to which goals have been met. Consequently we have established personnel practices, including adequate notification of position openings and evaluation of employment and promotion qualifications, according to well-articulated and fair criteria. Fair employment practices supporting our good faith efforts to meet employment goals are enumerated in the personnel manuals and handbooks of the University.

Pursuant to the revised federal regulations, goals this year are percentage annual placement goals. This means that each placement goal is expressed as a percentage indicating the target hiring rate for the underutilized group. These goals have been set equal to the availability percentage for each group, as per the regulations: "Where . . . a contractor is required to establish a placement goal for a particular job group, the contractor must establish a percentage annual placement goal at least equal to the availability figure derived for women or minorities, as appropriate, for that job group." (41 CFR §60-2.16)



## Technical Definitions

*Statistical Significance:* The probability  $p$  is the probability of observing a particular deviation (or one more extreme) of an observed value from a hypothesized or expected value. If the calculated probability  $p$  value is smaller than 5%, the deviation of the observed value from the expected value is considered to be statistically significant.

*Exact Binomial Model:* The binomial distribution can be used as a model for the probability of selecting  $X$  instances of a particular kind out of  $n$  possible cases, when the probability of selecting that particular kind of case is  $p$  overall. In affirmative action calculations,  $n$  is the total number of people selected,  $X$  is the number of people of one subgroup selected and  $p$  is their availability for selection overall.

*Number of Standard Deviations:* The number of standard deviations between an observed value and an expected value indicates the size of the discrepancy, independent of the particular distribution. In a normal distribution, two standard deviations represent a large enough discrepancy to be statistically significant.



**Table 5: Utilization Analysis for Faculty**

Table 5 shows total number of faculty in each category and compares female and minority representation at Duke University with the relevant labor market availability for that category.

	Female - All Races				All Minorities		
	Total	Females	% of Total Availability		Minorities	% of Total Availability	
Arts and Sciences							
Humanities <sup>F</sup>	190	85	45%	53%	51	27%	12%
Natural Sciences <sup>F</sup>	205	34	17%	31%	28	14%	10%
Social Sciences <sup>F</sup>	203	62	31%	43%	24	12%	13%
Professional Schools							
Divinity School	31	8	26%	20%	5	16%	24%
Fuqua School of Business <sup>F</sup>	100	17	17%	32%	17	17%	20%
Law School	42	9	21%	32%	3	7%	14%
Nicholas School of the Environment <sup>F,Min</sup>	46	9	20%	41%	4	9%	20%
Pratt School of Engineering							
Biomedical	32	7	22%	28%	10	31%	22%
Civil	17	1	6%	16%	2	12%	22%
Electrical	24	6	25%	11%	6	25%	29%
Mechanical	28	5	18%	11%	4	14%	27%
Schools of Medicine & Nursing							
Basic Sciences <sup>F</sup>	201	43	21%	41%	41	20%	17%
Clinical Science-Medicine	834	267	32%	29%	121	15%	17%
Clinical Science-Surgery <sup>Min</sup>	384	87	23%	19%	51	13%	17%
School of Nursing	35	31	89%	96%	3	9%	11%

<sup>F</sup> Underutilization of Females  
<sup>Min</sup> Underutilization of Minorities





**Table 6: 2003 Placement Goals for Faculty**

The placement goals for faculty have been set equal to the availability percentage for each group. Underutilization means that utilization of the group in the current workforce diverges from its availability to a statistically significant degree.

	<b>Underutilization 2002</b>	<b>Goal 2003</b>
<b>Arts and Sciences</b>		
Humanities	Females	53%
Natural Sciences	Females	31%
Social Sciences	Females	43%
<b>Professional Schools</b>		
Fuqua School of Business	Females	32%
Nicholas School of the Environment	Females	41%
Nicholas School of the Environment	Minorities	20%
<b>School of Medicine</b>		
Basic Sciences	Females	41%
Clinical Science – Surgery	Minorities	17%



**Table 7: Progress Towards Placement Goals for Faculty**

Table 7 compares the 2002 placement goals with actual hiring rates for groups that experienced underutilization in 2001. Shaded areas highlight groups that were within 5% of the goal. Faculty hiring data were obtained from Faculty Management System and the Faculty Profile database (School of Medicine) and reflects 2002-2003 activity.

	<b>Underutilization 2001</b>	<b>Goal 2002</b>	<b>Hires 2002</b>	<b>Target Group Hires-2002</b>	<b>Total Hires 2002</b>
<b>Arts and Sciences</b>					
Humanities	Females	52%	50%	5	10
Natural Sciences	Females	30%	31%	4	13
Social Sciences	Females	45%	44%	8	18
<b>Professional Schools</b>					
Fuqua School of Business	Females	32%	14%	2	14
Nicholas School of the Environment	Females	38%	0%	0	1
Nicholas School of the Environment	Minorities	24%	0%	0	1
<b>School of Medicine</b>					
Basic Sciences	Females	44%	13%	2	15
Clinical Science-Medicine	Minorities	16%	28%	39	139



**Table 8: Utilization Analysis for Staff by Job Group**

Table 8 shows total number of staff in each category and compares female and minority representation at Duke University with the relevant labor market availability for that category. Appendix A contains Job Group descriptions. Numbers in parenthesis indicate pay levels.

		Female - All Races			Minorities		
	Total	Females % of Total Availability			Minorities % of Total Availability		
EXEMPT STAFF							
Professional and Administrative							
11: Officials & Managers <sup>Min</sup>	849	449	53%	54%	99	12%	16%
31: Prof I (14-16) <sup>F,Min</sup>	655	368	56%	60%	68	10%	13%
32: Prof II (11-13)	986	783	79%	73%	146	15%	14%
33: Prof III (11-13)	1,181	832	70%	66%	208	18%	16%
34: Prof IV (11-13)	893	587	66%	59%	182	20%	17%
35: Prof V (10 & below)	836	646	77%	65%	169	20%	20%
36: Research Associates (00 & 10)	1,008	401	40%	37%	394	39%	14%
37: Professional Librarians(00 & 14)	111	77	69%	64%	14	13%	12%
NON-EXEMPT STAFF							
38: Clinical Nurses (10)	1,308	1,159	89%	90%	309	24%	16%
39: Staff Nurses (11) <sup>Min</sup>	131	121	92%	91%	14	11%	24%
Clerical							
41: Pay levels (00 & 1-4) <sup>F</sup>	305	165	54%	64%	188	62%	46%
42: Pay level (5)	445	374	84%	81%	305	69%	43%
43: Pay level (6)	1,034	940	91%	81%	484	47%	37%
44: Pay levels (7 & above)	1,495	1,363	91%	77%	570	38%	34%
Technical/Paraprofessional							
51: Pay levels( 00 & 2-6)	855	670	78%	69%	526	62%	51%
52: Pay level (7) <sup>Min</sup>	759	594	78%	65%	238	31%	36%
53: Pay levels (8 & above) <sup>Min</sup>	1,900	1,264	67%	58%	532	28%	34%
Skilled Crafts							
61: Bargaining Union (1-6)	12	0	0%	4%	5	42%	20%
62: Bargaining Union (7-10) <sup>F</sup>	89	1	1%	6%	18	20%	7%
63: Non-Union (00 & 1-7) <sup>F,Min</sup>	55	0	0%	8%	4	7%	27%
64: Non-Union (8 & 9) <sup>F,Min</sup>	84	2	2%	10%	8	10%	21%
65: Non-Union (10 & above) <sup>F,Min</sup>	62	0	0%	6%	3	5%	22%
Service							
71: Bargaining Union (1)	482	337	70%	69%	459	95%	76%
72: Bargaining Union (2-6) <sup>F</sup>	462	177	38%	51%	427	92%	75%
73: Non-Union (2) <sup>F</sup>	47	20	43%	56%	40	85%	59%
74: Non-Union (3 & 4)	304	160	53%	46%	237	78%	61%
75: Non-Union (00 & 5-13)	267	131	49%	44%	190	71%	60%
<sup>F</sup> Underutilization of Females		<sup>Min</sup> Underutilization of Minorities					





**Table 9: 2003 Placement Goals for Exempt and Non-Exempt Staff**

The placement goals for staff have been set equal to the availability percentage for each group. Underutilization means that utilization of the group in the current workforce diverges from its availability to a statistically significant degree. Numbers in parenthesis indicate pay levels.

<b>Job Group</b>	<b>Underutilization 2002</b>	<b>Goal 2003</b>
<b>EXEMPT STAFF</b>		
11: Officials & Managers	Minorities	16%
31: Professional I (14-16)	Females	60%
31: Professional I (14-16)	Minorities	13%
<b>NON-EXEMPT STAFF</b>		
39: Staff Nurses-Registered (11)	Minorities	24%
<b><i>Clerical</i></b>		
41: Pay levels (00 & 1- 4)	Females	64%
<b><i>Technical/Paraprofessional</i></b>		
52: Pay level (7)	Minorities	36%
53: Pay levels (8 & above)	Minorities	34%
<b><i>Skilled Crafts</i></b>		
62: Bargaining Union (7-10)	Females	6%
63: Non-Union (00 & 1-7)	Females	8%
63: Non-Union (00 & 1-7)	Minorities	27%
64: Non-Union (8 & 9)	Females	10%
64: Non-Union (8 & 9)	Minorities	21%
65: Non-Union (10 & above)	Females	6%
65: Non-Union (10 & above)	Minorities	22%
<b><i>Service</i></b>		
72: Bargaining Union (2-6)	Females	51%
73: Non-Union (2)	Females	56%



**Table 10: Progress Towards Placement Goals for Exempt and Non-Exempt Staff**

Table 10 compares the 2002 placement goals with actual hiring rates for groups that experienced underutilization in 2001. Shaded areas highlight groups that were within 5% of the goal. Staff hire data were obtained from Resumix (Human Resources Applicant Tracking System). These data reflect 2002 hiring activity. Numbers in parenthesis indicate pay levels.

Job Groups	Underutilization 2001	Goal 2002	Hires 2002	Target Group Hires	Total Hires
<b>EXEMPT STAFF</b>					
11: Officials & Managers	Minorities	17%	13%	6	47
31: Professional I (14-16)	Minorities	13%	8%	4	48
32: Professional II (11-13)	Minorities	15%	18%	37	201
<b>NON-EXEMPT STAFF</b>					
<b>Clerical</b>					
41: Pay levels (00 & 1-4)	Females	71%	53%	10	19
<b>Technical/Paraprofessional</b>					
52: Pay level (7)	Minorities	37%	30%	39	130
53: Pay levels (8 & above)	Minorities	34%	35%	72	205
<b>Skilled Crafts</b>					
62: Bargaining Union (7-10)	Females	6%	0%	0	3
63: Non-Union (00 & 1-7)	Females	8%	0%	0	3
63: Non-Union (00 & 1-7)	Minorities	27%	100%	3	3
64: Non-Union (8 & 9)	Females	10%	0%	0	2
64: Non-Union (8 & 9)	Minorities	24%	0%	0	2
65: Non-Union (10 & above)	Females	6%	0%	0	1
<b>Service</b>					
72: Bargaining Union (2-6)	Females	47%	4%	1	23











## **Section III: Initiatives to Alleviate Underutilization**

### **Duke University Affirmative Action Plan 2003**

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Underutilization is defined by Regulation 41 (CFR 60-2.14) as fewer women or minorities actually participating in a particular job group than would reasonably be expected, given their availability. The difference between availability and actual participation must be statistically significant in order for the disparity to indicate underutilization.

This section identifies areas in which women and minorities are underutilized for 2002 and offers a discussion of contributing factors and initiatives to alleviate the current situation. It examines trends and provides an analysis of the shortcomings in each of three major employment categories: faculty, exempt staff, and non-exempt staff. Several new initiatives currently being pursued by the University to guide progress towards achieving employment goals are described as well.

## **Faculty**

### **Overview**

Despite progress made in the past year in hiring women and minority faculty, underutilization in several disciplines remains a concern. The disparity between representation of women and minorities among Duke faculty and the possible qualified pool of applicants persists in several disciplines. For the last few years, Duke has experienced underutilization among women in business, humanities, environmental sciences, natural sciences, social sciences, and basic sciences faculty. During the same time period, minorities have been underutilized in environmental sciences and clinical sciences (surgery).

During the last two years, there has been a concerted effort to recruit and retain women and minority faculty, which has resulted in significant gains among several disciplines. Four of the eight faculty groups either exceeded or came within five percent of their placement goals - humanities, natural sciences, social sciences and medical clinical sciences (Table 7).

### **Contributing Factors**

Two major factors contribute to the persistent underutilization of female and minority faculty in the above-mentioned disciplines. Limited hiring opportunities, coupled with increasing availability of qualified pools of minority and female applicants, make it difficult to significantly affect the overall composition of a department. To a lesser extent, retention is also an issue in significantly affecting change.

Until 2001, Duke had experienced declining rates of tenure-track hiring for five consecutive years. However, in 2001, the Campus and Medical Center faculty increased by 4.1% and 4.5%, respectively. There were significant gains among minority and female faculty, as well. The 17% increase among African American Medical Center faculty is particularly noteworthy.

Additionally, the majority of the departments currently showing underutilization recruited women and minority faculty at or above their availability rates, thus meeting or exceeding the placement goals for 2002 (Table 7). However, departments that did not significantly add to their faculty in 2002 were obviously unable to address the underutilization. Though progress is clearly evident, it will take more than one year of hiring activity to make up the deficit of the past several years.

Despite efforts to broaden applicant pools and actively recruit women and minority candidates, academic departments often report difficulty recruiting qualified women and minority candidates for



senior faculty positions in certain disciplines or sub-disciplines. The limited pool of available candidates is due, in part, to under-representation of minorities in Ph.D. programs. Though the situation has improved to a great extent, according to some reports, there still remains a “pipeline problem,” which is recognized as part of a national trend.

Another factor perhaps is evident in a recent report (published in *Increasing Faculty Diversity: The Occupational Choices of High-Achieving Minority Students*, 2003) indicating that, in spite of other successes at the undergraduate level, many minority students do not earn grades adequate to pursue a career in academia.

According to the National Science Foundation (*Survey of Earned Doctorates*, 2001), African Americans earned only 6% of the 40,744 doctorates nationwide, Hispanic Americans earned 4.4%, and American Indians earned 0.5%. Though these numbers indicate an increase in the past five years in the availability of persons qualified for junior faculty positions, the pool from which Duke or other similar universities may reasonably recruit has not expanded as significantly. Additionally, of those African Americans who occupy full-time positions as faculty, one-half work at historically black institutions (*Survey of Earned Doctorates*, 2001).

Collectively, these phenomena deplete the pool of available minority candidates for universities such as Duke. The pool is further diminished by the fact that not all minorities who receive the requisite degrees pursue academic employment.

### **Corrective Action**

Academic units throughout the University are making special efforts to identify and reach minority and female candidates through focused recruiting and retention initiatives. These initiatives enjoy wider support and commitment than ever before. The leadership of the University – the president, provost, deans and department chairs -- all have pledged their support for and commitment to these initiatives. Additionally, Duke’s strategic plan expresses a need to recruit greater numbers of women in areas such as social sciences, natural sciences, engineering and business, where women have been underrepresented in the past.

With regard to the “pipeline” issue, Duke is committed to encouraging a more diverse body of graduate students and to offering necessary support to encourage women and minority students to pursue academic careers. To this end, there are several programs in place such as the annual Ph.D. career symposium, various scholarships and grants, international programs, and mentoring series.

Duke has implemented several large-scale initiatives to address specific recruitment and retention problems. These include the Black Faculty Strategic Initiative, the Provost’s Task Force on Faculty Diversity, the President’s Initiative on the Status of Women, the Arts and Science Diversity Initiative, and the Medical School Diversity Policy.

*The Black Faculty Strategic Initiative (BFSI)* at Duke University has been a valuable means of alleviating the underutilization of black faculty. The BFSI was first endorsed in 1988 with the charge of increasing the number of black faculty members. In 1993, the initiative goal was changed to double the number of black faculty members in ten years. That goal has been met. Some of the strategies used to help us reach our goal were: identifying potential candidates from industry, providing financial incentives to support recruitment, developing a critical mass of black faculty, nurturing potential Duke Ph.D. recruits (as a departure from Duke’s practice in the past of not hiring its own), and strengthening retention efforts.

Though the BFSI will lose its charter in 2003, it will continue with an enhanced focus, an effort being led by the *Provost’s Task Force on Faculty Diversity*. The Task Force is now drafting a set of principles and recommended practices. While the importance of diversity in its broadest sense is highlighted, the initiative focuses on some targeted areas. It will propose that the goals and





achievements of the BFSI be strengthened in the new initiative and that this new initiative include a focus on other underrepresented ethnic minorities as well.

The Task Force will not recommend a numerical approach, but rather a set of different approaches to address the situation on the unit level, taking cognizance of pipeline issues in the process. It will recommend that financial resources be available not only to hire faculty but also to build pipelines, suggesting that Duke take a leadership position in higher education with this initiative. The Task Force report will contain data on pipelines across disciplines, a report on the several focus groups conducted with black faculty during the fall 2002 semester, and other pertinent data.

Faculty recruitment and retention issues are also key priorities for the *President's Initiative on the Status of Women*. The Faculty Committee of the Initiative is examining the distribution of female faculty in academic departments, while focusing on issues of pay equity and tenure opportunities. The Committee is also conducting individual interviews to explore climate issues for women.

A *Women's Faculty Development Task Force* has been charged with making recommendations to improve the representation of women on the faculty. With considerable data now on hand about the availability of women in certain disciplines and the distribution of women faculty at Duke, the Task Force is developing strategies for recruitment and retention of women faculty in the professional schools and in various departments in the humanities, social sciences and natural sciences, all areas in which greater representation of women is critical.

The *Arts and Sciences Diversity Initiative* is focused on under-representation of women faculty in the University's Arts and Sciences programs. Departments are being asked to submit nominations for female scholars, searches are being strengthened to include women on the senior faculty, and diversity is being sought among department chairs. Recently four women faculty were hired or promoted as new department chairs, and women scientists from Johns Hopkins are being consulted on how to recruit and retain women on Duke's science, medical and engineering faculties.

In addition to these specific initiatives, the University remains committed to enhancing diversity among the faculty. In 1996, the Medical Center implemented a Diversity Policy to enhance its efforts to recruit and retain women and minority faculty in the clinical sciences area. The policy makes the hiring and retention of women and minorities a corporate management priority, a formal business objective and an institutional commitment. The policy applies not only to senior faculty, but also to in-house junior faculty, house staff, medical students, and graduate students.

## **Exempt Staff**

### **Overview**

Employees are exempt if their job status stipulates that they are paid a fixed monthly salary. For exempt employees, any hours worked beyond 40 in a workweek do not result in additional overtime pay or compensatory time off. Usually, they are executive, administrative, and professional salaried workers.

There is underutilization of minorities among Executive/Administrative/Managerial/Administrative -- Job Group 11, which includes pay levels 14 through 19 and levels 98. Women and minorities also are underrepresented in Professional Staff I -- Job Group 31, which includes staff positions at pay levels 14 and above, but not officials or managers.

The Census occupations in Job Groups 11 and 31 are primarily management positions in clinical and administrative units. The majority of positions in each of these categories is at senior management levels in academic and non-academic areas, and is spread across both the campus and the health system.

Under-representation of women and minorities in senior level positions has persisted for the past several years. A continued imbalance in hiring patterns, coupled with an increasing pool of





qualified women and minorities, makes progress difficult. To increase minority representation in Job Groups 11 and 31, a concerted effort will be required to recruit and retain minority employees in senior and mid-level management positions at Duke University.

### **Executive/Administrative/Managerial/Administrative (Job Group 11)**

In Job Group 11, there are currently 849 employees, including 99 minority employees (12%). Since 2001, there has been a 14% increase in the total number of employees in this job group, with a 24% increase for minorities.

To overcome more than a decade of deficits in this area, the University is focusing greater attention on recruiting and retaining minority administrators. In the face of economic pressures and limited hiring opportunities, it will perhaps take several years to reach appropriate utilization levels. At the same time, while Duke struggles with representation of minority administrators, the situation for women in administrative positions has significantly improved.

### **Professional Staff I (Job Group 31)**

For Job Group 31, which includes administrative and managerial staff in the tier just below Job Group 11, both women and minorities show under-representation. However, the gap between availability and Duke's representation for this job group has narrowed significantly over the past few years.

There has been tremendous growth in this group – a 56% increase since 2001. The overall growth is reflected in an increase of women and minority employees as well. For the current Plan year, there are 655 staff in Job Group 31, 56% of whom are women and 10% who are minorities. Since 2001, the total number of staff in this group has increased by 56%, while the representation of women grew by 68% and minorities by 39%.

It is noteworthy that in 2002 the rate of growth for minorities kept pace with the overall growth for this group, though it did not result in alleviating the under-representation. To address the underutilization, the hiring rate must not only keep pace with the ever-increasing availability but also significantly surpass the current availability, to make up the deficit of past years.

### **Corrective Action**

Exempt staff positions within each job group showing underutilization of women and minorities are reviewed to identify the specific jobs in which underutilization exists. The identified positions then are closely monitored for both internal and external entrants into these positions. Hiring managers are required to offer justification for their selection decisions and to submit applicant flow data to the Office for Equal Opportunity and Affirmative Action Programs.

Additionally, the Recruitment Office has undertaken a major initiative to identify and seek out qualified women and minority applicants. In June 2001, the University President appointed a *Task Force on the Recruitment and Retention of Minority Administrators* to review Duke's current policies and procedures and to propose new strategies for recruiting and supporting administrators, with the goal of increasing the number of minorities in senior level administrative positions at Duke University, including the Health System.

To date, the Task Force has reviewed current procedures, examined best practices at other institutions, and recommended actions that will help recruit and retain minority administrators at Duke University. The Task Force recommendations include: formal announcement of all vacancies; OIE and Human Resources to assist hiring managers in the development of formalized recruitment plans; OIE to be involved in searches for senior administrative positions; offering professional development to current staff to prepare them for senior level positions; and the formulation of an efficient and effective process for collecting exit interview information.



For the last few years, the Director of Recruitment and the Director of Equal Opportunity and Affirmative Action Programs have closely monitored hiring in job groups identified as problem areas. This monitoring consists of review of recruitment efforts and regular audits. Beginning in January 1994, staff positions filled at pay level 98 (the highest level in the hierarchy) have been monitored through informal review procedures. This effort was strengthened last year by including positions at pay levels 14 -19, as well as level 98 positions, among the positions that are subject to employment audit. These positions include vice-presidents, directors, deans and other senior management positions across the institution. Women and minorities, especially black males, are significantly underutilized among this group.

Beginning with the 2001 Plan year, the Executive Vice President and the Vice President for the Office for Institutional Equity review workforce and employment activity data with department heads. These discussions are focused on the current demographic profile of the unit and that unit's progress in recruiting and promoting women and minorities, especially in areas where there is under-representation. In addition, the Vice President for the Office for Institutional Equity or a designee also serves on search committees for senior administrators and provides necessary support and resources.

## **Non-Exempt Staff**

### **Overview**

Non-exempt staff is paid an hourly wage and subject to the federal Fair Labor Standards Act.

The following job groups experienced underutilization in 2002:

Staff Nurses (Job Group 39, Pay Level 11): Minorities

Clerical/Secretarial (Job Group 41, Pay Levels 1 - 4): Females

Technical/Paraprofessional (Job Groups 52 and 53, Pay Levels 7 and above): Minorities

Skilled Crafts (Job Groups 62, 63, 64, and 65, Pay Levels 1 - 10): Females

Skilled Crafts (Job Groups 63, 64 and 65, Pay Levels 1 - 9): Minorities

Service (Job Groups 72 and 73, Pay Levels 2 - 6): Females

*Note: Positions in Job Groups 61, 62, 71 and 72 fall under the Bargaining Union agreements.*

### **Staff Nurses (Job Group 39, Pay Level 11)**

This group consists of specialty nurses, majority of whom have a BSN degree. Staff nurses in this job group represent only a small percent of the total nursing staff at Duke University. There are a total of 131 nurses in this group. The balance between availability and Duke's representation has changed since the last two years. The recent availability figures for minorities are significantly higher than last year, while the representation at Duke is slightly lower than last year. Even though, the overall availability for qualified nurses has risen, the availability of nursing graduates from the BSN programs has not changed substantially. Minority enrollment in BSN programs remains limited. In fact, for the past few years, the pool of minority students in these programs has somewhat diminished.





### **Clerical/Secretarial (Job Group 41, Pay Levels 1 - 4)**

This is the first year that we have noted under-representation of women in Job Group 41. The majority of positions in this job group include the male-dominated job classifications of material control clerk, inventory clerk, postal clerk, and mail couriers. In the 2003 Plan year, females represent 54% of the 305 employees in this group. Last year there were 421 employees in this group, 66% of whom were women. While Duke's representation has slipped from 66% to 54%, the market availability has not changed significantly.

### **Technical/Paraprofessional (Job Groups 52 and 53, Pay Levels 7 and above)**

Job groups 52 and 53 consist primarily of technical and paraprofessional positions at pay levels 7 and above. Minority underutilization is concentrated in technical jobs in the hospital, in information technology and in research laboratories. There are approximately 2650 employees in these two categories, with minority representation ranging from 28% to 31%. Since last year, neither the total number of employees in this group nor the availability of qualified minority applicant pool has significantly changed. The underutilization persists primarily as a result of gap between hiring patterns at Duke and market availability.

### **Skilled Crafts (Job Groups 62, 63, 64 and 65, Pay Levels 1 – 10)**

Duke continues to experience an underutilization of women in the skilled crafts job groups 62, 63, 64 and 65; and underutilization of minorities in job groups 63, 64 and 65. These job groups account for only 290 employees, but have contributed to a chronic underutilization of women and minorities for the past several years. The total skilled craft workforce has not increased significantly since 1995, thereby providing very few hiring opportunities. In fact, it actually decreased by 29 employees in 2002 and by 2 employees in 2001.

Because of the static nature of the workforce in these areas, Duke's utilization rates have not changed significantly since 1999. However, labor market availability of women and minorities has increased slightly during this time period, thus exacerbating underutilization.

### **Service (Job Groups 72 and 73, Pay Levels 2-6)**

Women continue to be underutilized in Service job groups. Ninety percent of the positions in these job groups fall under the Bargaining Union contract and include the male-dominated job classifications of floor finisher and utility worker. Laundry attendants, grounds and housekeeping staff, food service assistants and traffic controllers are also included in these job groups.

Currently, women comprise 40% of the 509 employees in the two job groups. In 2002, there were 574 employees in Job Groups 72 and 73 with women representing 41% of the group. While the representation of women at Duke did not change, the availability in the market place went up by approximately 5% - thus, creating a deficit. It has been difficult to affect change in this area primarily because size of the workforce in this group has not increased significantly over the years, the turnover is low among employees and there are very few hiring opportunities.

### **Corrective Action**

Each job group is analyzed to determine which positions are to be included among the positions subject to review. The review process is described in detail in Section IV of this document. A list of exempt and non-exempt job classifications subject to the review process is provided to the Recruitment Office and communicated to hiring managers.





For nursing positions, the Health System has implemented several initiatives to recruit and to retain minorities. Focused recruitment strategies and outreach programs are in place to effectively target minority applicants. Additionally, several tuition and financial assistance packages are offered to nursing students at the Watts Nursing School and the Duke School of Nursing. The Watts Nursing School attracts a diverse pool of students. It is expected that by infusing financial resources, we will be able to effectively address the “pipeline” issue.

For skilled crafts positions, the Department of Facilities Management closely monitors openings in each of these job groups. With the support of unit directors, a system of priority hiring has been created. Additionally, efforts are being made to develop and implement community outreach programs to attract qualified female and minority candidates to traditionally male-dominated careers. Managers in these areas are asked to be extremely sensitive to underutilization and to make special efforts to recruit women and minority candidates whenever a position does become open.

In response to the findings from Work Culture Survey (1999 and 2002) Duke University Hospital has launched a Human Resources Plan (2002-03) that will improve developmental opportunities for staff, align rewards and recognition with performance, and establish a supportive work culture. These initiatives could potentially address underutilization by offering promotional opportunities to current staff and by enhancing retention rates for both exempt and non-exempt staff.

The recently established, *Professional Development Institute* addresses underutilization of minorities among support staff. The program is designed to prepare current Duke employees (in lower level jobs) to advance their careers. The program offers educational and experiential learning. The first class of students started in February 2003 with 34 participants. Majority of the current program participants are currently in entry-level clerical positions. The Institute also offers a Resource Center that provides information and support to assist staff in achieving their professional goals.

The *President’s Initiative on the Status of Women* is examining the status of women at Duke and making recommendations to support professional development for women and to address workplace climate issues. This initiative extends to all areas of the University and includes both exempt and non-exempt staff. The Initiative’s Employee Working Group has made concerted effort to reach out to women from all ethnic backgrounds and to include their feedback in formulating recommendations. The preliminary findings indicate that childcare, flexible scheduling, pay equity, professional development and professional opportunities are priorities for women at Duke. The second phase of the initiative will identify specific programs to address each of these areas.









## **Section IV: Monitoring and Reporting Systems**

### **Duke University Affirmative Action Plan 2003**

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The University's monitoring systems are critical to the success of the affirmative action programs. Currently, there are a variety of processes and systems that track employment activity and diversity initiatives for faculty and staff.

The Office for Institutional Equity and the Office of Human Resources are jointly responsible for monitoring and auditing functions. Several departments have in place elaborate systems for tracking and reporting their unit activity. We are currently in the process of enhancing the monitoring and reporting infrastructure to guarantee accountability. In addition, the reporting and monitoring systems:

- Maintain accurate records of all applicants, hires, bidders, internal selections (promotion, demotion or transfer) and terminations by gender and race;
- Review all selection, promotion and training procedures to ensure they are non-discriminatory; and
- Monitor progress toward established goals by providing feedback to selecting officials on the numbers of opportunities and the percentage of selections of minorities and women in job groups and by comparing selection rates to the established goals.

## **Recruitment Process**

### **Faculty Appointments**

When faculty recruitment is authorized, the Dean sends a copy of the authorization form to a number of people who have an interest in recruitment, including the EO/AA Director, who then contacts the chair of the recruiting department advising him or her of the affirmative action goals and the availability of women and minorities in that discipline. Additionally, recruiting departments in Arts and Sciences use a Self-Declaration Form to collate statistics on applicant race and gender. This form is returned to the Dean's Office, which then works with each department to monitor the applicant pools. In all areas where underutilization has been identified, the recruiting process of a department or professional school is subject to review by the Dean or Provost prior to the offering of the position.

Recruitment results are recorded by the recruiting department for all faculty appointments through the use of an EEO Faculty Self-Audit form which records recruiting sources, applicant pools, and screening steps, as well as the name, academic rank, race and gender of the appointee.

Procedures for faculty appointments, re-appointments, and promotions in Arts and Sciences are detailed in the Chair's Handbook. The process for initiation of searches and of reviews is also outlined in the Handbook. The Faculty Handbook describes these procedures for all faculty.

### **Staff Appointments**

Staff appointments are processed through a central applicant tracking system, Resumix, and are closely monitored by recruitment representatives. The Office for Institutional Equity reviews all employment activity data on a quarterly basis. In addition to the above tracking efforts, which apply to all personnel decisions, a more rigorous review is conducted for staff positions, which have been placed under review. Positions under review include all positions that fall in job groups that are underutilized in the current Plan year and for which a goal is set in the Affirmative Action Plan.





Exceptions to these criteria have been made in certain areas. Within job group 11 (Executive/Managerial/Administrative), all positions in pay levels 16, 17, 18, 19 and 98 have been placed under review. These levels represent upper management positions in which there are rarely more than one or two employees. It would be impossible for the review system to address the persistent underutilization issues in upper management without placing these positions under review. In a similar vein, job groups 63, 64, and 65 all show underutilization, but contain many positions with ten or fewer employees. Since it is clear there is underutilization at the job group level, which cannot be adequately addressed by reviewing only positions with more than ten employees, these classifications were placed under review.

The monitoring for positions under review consists of the following steps:

- Completion of a recruitment plan by the hiring department, guided by the Duke University hiring and selection procedures;
- Completion of an EEO Staff Self-Audit Form for each filled position, which includes detailed information on the applicant pool for the position, efforts to recruit minority and/or women candidates, and reasons for the selection made; and
- Review by the Office for Institutional Equity, which compiles the Self-Audit forms and analyzes them annually.

## **Adverse Impact Analysis and Applicant Flow Monitoring**

Adverse impact analysis is performed annually to include all staff women and minorities. Hiring managers are required to maintain applicant flow information pertaining to all of their hiring decisions. Additionally, Resumix, an applicant tracking system captures the demographic information for all positions filled at the University and the Health System. Impact Ratio Analysis (IRA) is used to determine whether there is a substantial difference between the selection rates of women and minority applicants/candidates. The IRA provides a preliminary indicator of possible disparities between groups. In addition to hiring activity, adverse impact analysis is conducted for any internal activity, i.e. transfers, promotions, unit expansions and reorganizations, and terminations. A review of terminations includes both voluntary (resignations) and involuntary terminations (discharges, layoffs, etc.).

In addition, periodic reports are issued, setting forth analysis of shift in the work force demographic and trends in hiring activity.









### Appendix A: Description of Job Groups

The Office of Federal Contract Compliance Programs requires that the workforce of the federal contractor (Duke University) be categorized into job groups of similar job characteristics (41 CFR 60-2.11). These job groups are divisions of the Equal Employment Opportunity Commission's EEO6 categories. Within each of the EEO6 categories, Duke has established job groups to reflect the diversity in occupational categories and pay ranges. Consequently Duke has established 34 job groups comprised of pay levels as described in the Duke University Job Classifications and Pay Ranges guide.

#### Faculty

##### Faculty (EEO Category 2)

The faculty is divided into the following groups:

- Arts and Sciences

  - Humanities

  - Social Sciences

  - Natural Sciences

- Professional Schools

  - Divinity School

  - Fuqua School of Business

  - Law School

  - Nicholas School of the Environment

  - Pratt School of Engineering

- School of Medicine<sup>1</sup>

  - Basic Sciences

  - Clinical Sciences – Medicine

  - Clinical Sciences – Surgery

  - School of Nursing

<sup>1</sup> The division of clinical sciences attempts to break up a group that is quite large and which contains departments of widely varying size. The division generally follows NIH classification in making a distinction between "Surgery" and "Medicine". This distinction is recognized in determining availability for purposes of utilization analysis.





## **Exempt Job Groups <sup>1</sup>**

Exempt staff are paid a fixed monthly salary and are exempt from the federal Fair Labor Standards act. Usually, they are executive, administrative, and professional salaried workers.

### **Executives/Administrative/Managerial (EEO Category 1)**

#### **11 Officials and Managers**

Staff positions at pay level 14 and above including central administration.

### **Professionals (EEO Category 3)**

#### **31 Professional Staff I**

Staff positions at pay levels 14 – 16 and not officials and managers.

#### **32 Professional Staff II**

Staff positions at pay levels 11 through 13, primarily in health care areas.

#### **33 Professional Staff III**

Staff positions at pay levels 11 through 13, includes administrative and managerial positions in academic and health care areas.

#### **34 Professional Staff IV**

Staff positions at pay levels 11 through 13 in primarily technical fields, including health technologies.

#### **35 Professional Staff V**

Staff positions at pay levels 10 and below.

#### **36 Professional Staff VI**

Research Associates and Research Scholars - pay levels 00 and 10.

#### **37 Professional Staff VII**

Professional Librarians – pay levels 00 and 14.

<sup>1</sup> When the pay level assigned to a position is not competitive at market rates, a temporary level may be assigned to enable Duke to match market wages for selected positions.



## **Non-Exempt Job Groups <sup>1</sup>**

Non-exempt staff are paid an hourly wage and subject to the federal Fair Labor Standards Act.

### **Professionals - (EEO Category 3)**

#### **Registered Nurses**

- 38 Clinical Nurses (Registered) – Pay level 10
- 39 Staff Nurses (Registered) – Pay level 11

### **Clerical/Secretarial (EEO Category 4)**

- 41 Pay levels - 00 and 1-4
- 42 Pay level 5
- 43 Pay level 6
- 44 Pay levels 7 and above

### **Technical/Paraprofessional (EEO Category 5)**

- 51 Pay levels 00 and 2-6
- 52 Pay level 7
- 53 Pay levels 8 and above

### **Skilled Crafts (EEO Category 6)**

#### **Bargaining Union**

- 61 Pay levels 1-6
- 62 Pay levels 7-10

#### **Non-Union**

- 63 Pay levels 00 and 1-7
- 64 Pay levels 8 and 9
- 65 Pay levels 10 and above

### **Service/Maintenance (EEO Category 7)**

#### **Bargaining Union**

- 71 Pay level 1
- 72 Pay levels 2-6

#### **Non-Union**

- 73 Pay level 2
- 74 Pay levels 3 and 4
- 75 Pay levels 00 & 5-13

<sup>1</sup> When the pay level assigned to a position is not competitive at market rates, a temporary level may be assigned to enable Duke to match market wages for selected positions.



## Appendix B: Workforce Distribution for Selected Departments

The following tables present the next-level breakdown for those areas that were collapsed in Table 4.

**Table B.1: Arts and Sciences Departments**

	Total	Female	Total	Minorities			
		All Races		Black	Hispanic	Asian	American Indian
<b>Provost</b>							
<b>Arts &amp; Sciences</b>							
<b>Arts &amp; Sciences Departments</b>							
Art & Art History	5	3	0	0	0	0	0
Asian and African Languages	2	2	0	0	0	0	0
Biological Anthropology	2	2	0	0	0	0	0
Biology	62	35	10	4	2	4	0
Chemistry	43	17	18	2	0	16	0
Classical Studies	2	2	0	0	0	0	0
Computer Science	23	12	3	0	0	3	0
Cultural Anthropology	3	3	1	0	0	1	0
Economics	11	10	3	3	0	0	0
English	7	6	0	0	0	0	0
Germanic Languages	2	2	1	1	0	0	0
History	7	7	1	1	0	0	0
Mathematics	15	8	5	2	0	3	0
Music	9	8	1	1	0	0	0
Philosophy	2	1	0	0	0	0	0
Physics	86	24	20	6	1	12	1
Political Science	10	9	2	2	0	0	0
Psychological and Brain Sciences	14	8	2	2	0	0	0
Psychology: Social and Health Sciences	12	10	0	0	0	0	0
Public Policy Studies	40	29	11	9	0	2	0
Religion	4	4	0	0	0	0	0
Romance Language	7	7	1	1	0	0	0
Slavic Language	2	2	0	0	0	0	0
Sociology	12	7	1	1	0	0	0
Theater Studies	3	2	0	0	0	0	0
<b>Arts &amp; Sciences Departments Total:</b>	<b>385</b>	<b>220</b>	<b>80</b>	<b>35</b>	<b>3</b>	<b>41</b>	<b>1</b>





**Table B.2: Arts and Science Programs**

	Total	Female	Total	Minorities			
		All Races		Black	Hispanic	Asian	American Indian
<b>Provost</b>							
<b>Arts &amp; Sciences</b>							
<b>Arts &amp; Sciences Programs</b>							
African and African American Studies	1	1	1	1	0	0	0
Center for Child and Family Policy	43	34	14	13	1	0	0
Center for International Development	4	3	1	1	0	0	0
Center for Health Policy Law & Management	16	9	3	3	0	0	0
Center for Slavic European and Eastern European Studies	3	0	0	0	0	0	0
Dance	1	1	1	1	0	0	0
DCMB	43	28	18	5	1	11	1
Demographic Studies	32	13	5	1	0	4	0
Documentary Studies	19	11	3	1	2	0	0
Education	1	1	1	1	0	0	0
Fast Track	20	16	10	10	0	0	0
ISDS	10	5	2	2	0	0	0
Literature	6	6	2	1	0	0	1
Women's Studies	3	3	1	1	0	0	0
<b>Arts &amp; Sciences Programs Total:</b>	<b>202</b>	<b>131</b>	<b>62</b>	<b>41</b>	<b>4</b>	<b>15</b>	<b>2</b>



**Table B.3: Basic and Clinical Science Departments**

		Female		Minorities			
	Total	All Races	Total	Black	Hispanic	Asian	American Indian
<b>Chancellor, Health Affairs</b>							
<b>School of Medicine</b>							
<b>Basic Science Departments</b>							
Biochemistry	64	35	23	12	3	8	0
Biology/Anthropology/Anatomy	11	3	2	1	0	1	0
Cell Biology	55	30	19	4	5	9	1
Genetics	2	1	1	1	0	0	0
Immunology	32	18	16	5	0	10	1
Interdisciplinary Programs	1	1	0	0	0	0	0
Microbiology	3	3	0	0	0	0	0
Molecular Genetics and Microbiology	78	44	25	4	3	18	0
Neurobiology	101	46	40	3	6	31	0
Pathology	100	61	35	17	1	17	0
Pharmacology & Cancer Biology	119	66	44	11	2	31	0
<b>Basic Science Departments Total:</b>	<b>566</b>	<b>308</b>	<b>205</b>	<b>58</b>	<b>20</b>	<b>125</b>	<b>2</b>
<b>School of Medicine</b>							
<b>Clinical Science Departments</b>							
Anesthesiology	125	74	34	27	0	6	1
Biostatistics & Bioinformatics	2	2	0	0	0	0	0
Community and Family Medicine	129	109	49	46	1	2	0
Medicine	894	668	242	128	14	95	5
Obstetrics/Gynecology	58	56	9	6	0	3	0
Ophthalmology	100	74	26	16	1	9	0
Pediatrics	253	208	62	38	2	20	2
Psychiatry	282	215	65	43	1	19	2
Radiation Oncology	47	28	18	2	3	13	0
Radiology	86	33	30	14	2	14	0
Surgery	457	338	111	56	13	38	4
<b>Clinical Science Departments Total:</b>	<b>2,433</b>	<b>1,805</b>	<b>646</b>	<b>376</b>	<b>37</b>	<b>219</b>	<b>14</b>



**Table B4: Centers**

	Total	Female	Total	Minorities			
		All Races		Black	Hispanic	Asian	American Indian
<b>Chancellor, Health Affairs</b>							
<b>School of Medicine</b>							
<b>Centers</b>							
Cardiac MRI Center	3	2	2	0	1	1	0
Center for Ethics & Humanities Administrative Support	5	5	1	1	0	0	0
Center for Genome Technology	3	2	0	0	0	0	0
Center For Living	96	80	10	9	0	1	0
Center for Study of Aging	18	15	3	2	1	0	0
Comprehensive Cancer Center	200	155	54	43	2	9	0
Center for Brain Imaging & Analysis	2	2	1	1	0	0	0
Center for Health Policy Res Ed	10	8	3	2	0	1	0
Duke Clinical Research Center	665	510	168	139	5	23	1
Heart Center	4	4	2	2	0	0	0
Stedman Nutrition Center	3	3	0	0	0	0	0
<b>Centers Total:</b>	<b>1,009</b>	<b>786</b>	<b>244</b>	<b>199</b>	<b>9</b>	<b>35</b>	<b>1</b>



## **Appendix C: Best Practices: Equal Opportunity and Affirmative Action**

According to the Equal Employment Opportunity Commission, the following are the characteristics of a best practice:

- Complies with the law;
- Promotes equal employment opportunity and addresses one or more barriers that adversely affect equal employment opportunity;
- Manifests management commitment and accountability;
- Ensures management and employee communication;
- Produces noteworthy results;
- Does not cause or result in unfairness.

This document describes Duke University's best practices in the areas of Affirmative Action and Equal Opportunity. The list of initiatives described in this document is by no means an exhaustive list but rather a representative sample of the various programs and projects at Duke. The programs and projects described are divided into five categories: Recruitment and Hiring, Promotion and Career Advancement, Terms and Conditions/Workplace Environment, Community Initiatives, and Other Programs. Descriptions of the categories can be found at the beginning of each section. With some modifications, these are the categories and category descriptions used by the EEOC in their report "Best Practices of Private Sector Employers."

### **1. Recruitment and Hiring**

The focus of "recruitment and hiring" is on affirmative recruitment programs designed to create a diverse workforce, such as internships, recruitment strategies, and education and training programs used for hiring.

#### **Black Faculty Strategic Initiative (BFSI)**

2002-2003 marks the final stage of the ten-year Black Faculty Strategic Initiative. The BFSI resulted from a 1993 study by the Committee on Black Faculty of the Academic Council, which recommended that the number of Black faculty in the regular ranks be at least doubled between September of that year and September 2003. This recommendation came on the heels of a false start represented by the previous (1988) policy, which mandated an increase within five years of at least one faculty member in each academic hiring unit, along with a doubling of overall numbers in that period. The new recommendation did not demand a targeted number for each unit and it provided more than twice the time for achieving the goal; in addition, it mandated increased attention to both mentoring and monitoring.

The BFSI has worked towards these goals by providing funds that encourage schools, departments, and programs to seek out Black candidates for regular rank faculty positions at Duke. The BFSI provides seed money for such appointments on a sliding scale over a three- to five-year period.

In 2001 and 2002, the BFSI highlighted three themes for particular attention: unevenness of Black faculty numbers across departments; slightly higher rates for departure of Black faculty than for faculty overall; and strengthening the "pipeline" for Black faculty. Members of the BFSI also held individual discussions with the deans about their minority faculty search plans and mentoring initiatives and took diversity issues before the Deans Cabinet. Members of the BFSI reported to the Academic Priorities Committee and, to stay in touch with undergraduate interest in this matter, the Black Student





Association. Meanwhile, the BFSI committee met regularly throughout the year to monitor progress, to report on initiatives, and to address particular aspects of recruitment and retention. Additionally, small-group meetings were held to focus on two particular issues: retention of Black faculty and hiring of women and underrepresented minorities in science and engineering.

As of the fall of 2002, BFSI has attained its target of doubling the number of Black faculty within the decade, starting with 44 regular rank faculty in fall 1993 and currently employing 88 in fall 2002 (Source: Dean Chafe's "Annual Address to the Arts and Sciences Council," September 12, 2003). The BFSI hopes to not only maintain, but to exceed its target when the BFSI formally ends, in the spirit of the original language of the plan, which called for "at least" a doubling of Black faculty in ten years.

In the final year of the BFSI, the initiative intends to continue its progress. The initiative will address climate issues and uneven achievements across departments. While BFSI intends to maintain a focus on these two issues, members will also help Duke devise a new diversity plan appropriate for the University in the early 21st century. Such a plan will take into account the recognizably more complicated issues of 'race:' in definition and classification, in identity and politics. It will be mindful of significant changes that have occurred in the racial and ethnic demographics in the United States and in and around Duke. The new diversity plan will attempt to bring to fruition three interlocking goals: to draw the best faculty to Duke, along with the best students; to create an environment that engages, and hence retains, these talented teachers and researchers; and to ensure that Duke's education prepares its students for life in a diverse society. To formulate this broad diversity plan for the next decade, the Vice Provost for Academic and Administrative Services has instituted a Task Force on Faculty Diversity composed of seven faculty and three administrators. It is charged with discussing, debating, and defining the salient diversity issues that should inform the construction and goals of a new diversity initiative for the decade 2003-2013. This task force intends to ensure that the progress made to date with the BFSI is sustained and enhanced.

### **INROADS Internship**

The INROADS national internship program is designed to develop and place talented minority youth in business and industry and to prepare them for corporate and community leadership. The INROADS program recruits outstanding college students of color and places them in multi-year summer internships and conducts leadership training. At the internship site, each INROADS participant has one or more sponsors who provide help and mentorship.

Duke actively participates in the INROADS program by accepting interns in its various departments. The ultimate goal of the internship is an offer of employment from Duke. Duke plans to expand the number of interns accepted for the summer of 2003 to its highest number yet.

### **Internal Affirmative Action Plans and Other Departmental Initiatives**

In addition to the University-wide Affirmative Action Plan produced by the Office for Institutional Equity (OIE), some divisions, such as Facilities Management, maintain internal affirmative action plans to track hiring, promotions, and transfers by gender and ethnicity. Individuals departments are encouraged to conduct focused recruiting and monitor their own progress. The Duke Police department seeks diverse and qualified applicants by attending local job fairs and by communicating with educational institutions regarding job placement opportunities. The Departments of Medicine and Auxiliary Services also monitor recruiting and hiring practices to ensure diversity and conduct self-assessment of their employment practices.



## **Recruitment and Retention of Minority Administrators**

In 2001, the Duke University President appointed the Task Force on Recruitment and Retention of Minority Administrators. The Task Force was charged with examining the issues around recruitment and retention of minority administrators and with making recommendations to guide Duke's effort in increasing diversity among senior management. The task force started by examining current policies and practices at Duke and surveying private and public institutions to seek out best practices.

The Task Force made several recommendations. The following recommendations were made in the recruitment area: all positions be formally announced internally and externally; Offices of Institutional Equity and Human Resources develop resources for managers and assist them in developing recruitment plans; OIE staff participate in all searches for senior level positions; search committees reflect experience, competencies, and commitments to enable development of a diverse applicant pool; all searches be subject to a University-wide ex post facto review; and continue to support INROADS and other programs as means to address pipeline issues.

To improve retention rates among minority administrators, the Task Force made several recommendations. These included strengthening Duke's orientation program for new employees, developing strong and sustainable mentoring programs, implementing an efficient and effective process for collecting exit interview information, and developing ways to make decision-making at Duke more transparent.

## **2. Promotion and Career Advancement**

The focus of "promotion and career advancement" is on programs that have eliminated barriers to the advancement of women, people from diverse ethnic and racial groups, persons with disabilities, and older workers (those forty or older). Programs such as mentoring, education and training for purposes of promotion, and career enhancement initiatives are considered in this group.

### **Health Care Workforce Diversity Project**

In 2002, the Kellogg foundation named Duke University Medical Center as one of the three nation-wide recipients of a new \$3.6 million W.K. Kellogg Foundation grant designed to increase the workforce diversity of the health professions. Duke will receive \$1.5 million of the grant and the remainder will be split between the National Institute of Medicine and Community Catalyst, a Boston-based national health consumer advocacy organization.

Duke will use the grant to support a variety of programs designed to increase diversity in the health care workforce. Among other projects, the Duke School of Medicine will form a blue-ribbon panel to raise public awareness of the problem and examine college and University admissions policies' impact on minority development. Panel members are to be chosen for their leadership in a variety of sectors, including higher education, corporate entertainment, religion, and community advocacy.

Additionally, the grant will support programs to enhance Duke's ability to care for people who are not currently benefiting from significant advances in prevention, diagnosis, and treatment by increasing diversity among care givers to address the needs of an ever increasing diverse and disadvantaged patient population.

### **Leadership Education and Development Program (LEAD)**

Duke's Fuqua School of Business is a partner in LEAD, the nation-wide program to encourage minority students to consider business or management as a career. Consistent with the national goal of exposing high school students to business careers via academic, corporate, and entrepreneurial pathways, Fuqua's program consists of classroom instruction, team-based projects, and corporate visits.





The curriculum also includes Entreprep, a one-week module in entrepreneurship developed by the Ewing Marion Kauffman Foundation.

The program is designed to challenge students by teaching them how to make presentations to persuade key corporate decision-makers and by simulating real business situations. Students make pricing, production, marketing, and sales decisions for hypothetical companies competing against one another in an electronic business simulation game. Other participants in this simulation are usually college and junior college students; however several of the teams among the 2002 participants placed among the top thirty teams participating in the simulation during the past year. Additionally, the program boasts acceptance of five of the students from the 2000 LEAD class into Duke University's class of 2005, and of four students from the 2001 LEAD class into the University's class of 2006. During the summer of 2002, thirty high-school students from diverse backgrounds participated in the program.

### **Career Path Initiative – Duke Library Systems**

The Perkins Library Career Path Task Force was formed in October 1998 with a purpose to “Hire and Retain Outstanding Staff” – a goal of the Library’s Strategic Plan for 1998-2001. The task force investigated the barriers that prevent library support staff from career advancement within the library. Other libraries were surveyed to determine their procedures for retention, promotion, and the creation of career paths. In July 1999, the task force issued a report containing recommendations for proceeding with structural changes that would facilitate career advancement among support staff. These recommendations were incorporated into the Perkins Library Systems Strategic Plan for 2000-2005.

### **Professional Development Institute**

Duke has recently established a Professional Development Institute to provide professional development opportunities for staff in selected job categories. In the first phase of the program, education and training programs are being offered to employees in entry-level support staff (clerical) positions. In addition to offering promotional opportunities to Duke employees, the program is intended to address persistent shortage of qualified applicants for staff support positions at Duke.

After completing the program, participants are required to work at Duke for at least eighteen months. The program is partially subsidized by the University. The first class started in February 2003. The Institute also maintains a Resource Center that provides material support and guidance to all staff at Duke.

## **3. Terms and Conditions/Workplace Environment**

The focus of “terms and conditions” is on disability and religious accommodation programs and on sexual harassment, pay equity, insurance, employee benefits, and work-life and family-friendly policies and practices.

### **Training and Development Programs**

Training and professional development is a high priority for many departments. These departments take the initiative to access in-house resources but also retain consultants for diversity training. For example, Auxiliary Services contracted with SST Communications to hold a “Cultural Diversity on Campus” training for Housing Management employees, and Facilities Management has held discussions on working with lesbian, gay, bisexual and transgender employees. The Office for Institutional Equity conducts a Community Relations training program for the Duke Police department. Hate crimes, Hispanic and Latino family values, and sexual orientation issues are among the topics discussed.





## **Disability Management System**

The Disability Management System (DMS) provides leadership to the University and University Health System to ensure an accessible, hospitable working and learning environment for people with disabilities while ensuring full compliance with federal and state regulations, including the Department of Justice Settlement Agreement.

DMS is responsible for the development and implementation of standard University practices and procedures for responding to the needs of faculty, staff, students and visitors with disabilities. Since 2001 disability programs have been substantially enhanced. Recent initiatives include: reasonable accommodation procedure; assistive technology/adaptive equipment; lending library; annotated accessibility survey; facilities and site surveys; emergency phone standards; public phone guidelines; disability discrimination grievance procedure; emergency evacuation procedures; accommodation fund; and disability services liaison network.

DMS interfaces with all organizational units of the University and collaborates with several staff and faculty to ensure compliance and to raise consciousness about the needs of people with mental and physical disabilities.

## **Police Department's Community Liaison Program**

A Duke Police Department staff member serves as a liaison between the police department and minority communities on campus. These partnerships help to educate the police and the rest of the Duke community about challenging perceptions and stereotypes.

## **Diversity Awards**

The Diversity Award is one of the four major awards presented by Duke University & Health System. Each of the four awards - Presidential, Teamwork, Diversity, and Random Act of Kindness - is representative of the Guiding Principles of the institution. The Duke University Diversity Award recognizes staff or faculty members who have demonstrated, through their positive interactions with others, a respect and value for differing backgrounds and points of view within the University community. The awards are given annually to staff or faculty members who have actively and positively promoted the concept of diversity by enhancing or contributing to the overall environment of the University through improving a cross-cultural understanding. The Diversity Award presentation is part of Duke Appreciation Week's Night of Duke Stars, the official celebration for employees reaching career service milestones from the 10th year and beyond.

## **Compliance Program and Code of Conduct**

In 1999, the Duke University Health System established a Compliance Program and a Code of Conduct to reflect the organization's commitment to compliance with the law and to support the best possible work environment of all members of the Duke Community. Additionally, the Compliance Program established a reporting mechanism to allow staff to report incidents and to raise issues of concern. The program includes a non-retaliation/non-retribution provision to assure that no employee is subject to any adverse action for bringing forward his/her concern.

## **Work Culture Survey**

In response to President Keohane's urging for action on issues of diversity and inclusiveness, a Steering Committee was established in the fall of 1997 to focus on Duke's current work culture and areas for improvement. To obtain baseline information, a work culture survey was commissioned in



1999 and a follow-up survey in 2002. To further examine the issues identified in the survey results, the Work Culture Task Force was created and charged with developing recommended strategies to improve Duke's work climate. The Work Culture Task Force developed the following six recommendations as a construct for improving Duke's work culture:

- Enlist leadership support and accountability;
- Adopt guiding principles and behavioral accountabilities;
- Establish the Work Culture Task Force as a standing University committee;
- Ensure community participation and feedback;
- Communicate work of Task Force to the University community;
- Implement five program initiatives to reinforce principles and to support behavioral change – recruitment process, leadership development institute, leadership competency model, career upward mobility, and the performance management system.

### **Family-Friendly Initiatives**

Duke University is among the top family-friendly workplaces in North Carolina (*Carolina Parent* magazine, 2003). The University was recognized for its commitment to helping employees balance the demands of work and family life. Some of Duke's family friendly policies and programs include: Care Connection Childcare and Eldercare Referral Service; Duke Appreciation Week's Family Fun Day; the LIVE FOR LIFE Employee Wellness program; PERQS Employee Discount program; the United Way/Duke Partnership Campaign that provides agency referrals and supports Family Fun Day during Duke Appreciation Week; Health and Childcare Reimbursement Accounts; the Educational Assistance Program; Children's Tuition Grant Program; Duke Credit Union; Time Off/Vacation, Sick Leave, and Holidays; Retirement plans; Health and Dental Plans, Life and Disability Insurance; and Personal Assistance Service confidential counseling.

### **Guiding Principles**

The Office of Human Resources has identified five core values as the essence of the 'Guiding Principles.' They are: trustworthiness, respect, diversity, learning, and teamwork. These principles, in turn, establish measurable expectations for all employees of the University. The senior leadership team has earnestly committed themselves to this effort.

Several initiatives support the Guiding Principles by offering opportunities for managers to create and sustain a work place climate that is consistent with the University's professed values. Managers are encouraged to share accounts of exemplary behavior and to reward those who exemplify these values. Managers are also urged to consult their employees in open meetings and other informal settings and to be responsive to staff perceptions and to allow an opportunity for feedback.

### **Harassment Policy and Training Initiatives**

Duke's current Harassment Policy became effective in January of 1994 and was last updated in August of 2000. It applies to all members of the University – faculty, staff, and students – and covers all forms of harassment. The policy forbids the creation of a hostile environment, prohibits sexual coercion, and creates a mechanism for redress. The full Harassment Policy is available in Appendix D.

The harassment prevention program is designed to ensure that staff, faculty, students and visitors are able to work, learn and participate in a community unburdened by harassment and discrimination. Training and education are fundamental to implementing an effective harassment prevention program. The primary goal is to provide relevant and comprehensive harassment training opportunities to members of the Duke community.





## **Employment Equity Institute**

The Duke University Office for Institutional Equity in partnership with the Learning and Development Institute provides ongoing training programs on diversity, sexual harassment prevention, disability management, and affirmative action and equal opportunity responsibilities. Programs scheduled for 2003 include development of diversity plan, managing across generations, equity in employment, and several lunchtime learning opportunities. These discussions include harassment prevention, business case for diversity, introduction to diversity, and reasonable accommodations under the Americans with Disabilities Act. Additionally, OIE hosts monthly film showings followed by facilitated discussions.

## **Diversity Online Link**

The Office for Institutional Equity has developed a Diversity News Links service. Staff can sign up to receive alerts to diversity web links. In addition, two learning modules are now available on the OIE website. These modules include Diversity in the Workplace and Business Case for Diversity.

## **Perkins Library Diversity Working Group**

The Perkins Library Diversity Working Group (DWG) grew out of a series of diversity staff workshops designed to identify and address work culture issues. The mission of the DWG is to “develop and implement strategies to foster a work culture where everyone feels welcomed, valued, and respected and where each individual has the opportunity to develop to his or her full potential in pursuit of the library’s mission and values.” The group, composed of volunteers from the library staff along with a consultant from Duke’s Office for Institutional Equity, has sponsored campus outreach activities such as a booth at the campus Oktoberfest celebration, where they asked attendees for their ideas about diversity. DWG also hosts an annual Summer Festival, which includes a diversity film festival. This program allows staff to view and discuss diversity issues from a wide range of perspectives, i.e. race and culture, lesbian and gay issues and disability. The group’s activities won it Duke’s first annual Diversity Award.

Since initial implementation in 1998, DWG has completed an extensive Workplace Assessment Survey to capture employees’ perceptions of their workplace climate. As a follow-up to the survey, a set of “desirable workplace behaviors” was identified and the staff has developed ways to implement and reinforce these behaviors through positive conduct posters located throughout the library, the Diversity Outreach Workshop, and short-term ad-hoc groups.

## **Policy on Consensual Relationships**

The Duke Academic Council endorsed a policy on consensual relationships in March of 2002. The Duke policy does not prohibit consensual relationships and does not include punishment for engaging in them. Instead, it addresses the conflicts of interest created by such relationships and focuses on steps the supervisor or faculty member should take to eliminate the conflict of interest.

The policy provides guidelines for employee/employee relationships and employee/faculty relationships as well as for faculty/student relationships. If consensual relationships arise, the policy lists several measures the faculty member can take to end the conflict of interest. While the policy doesn’t prohibit faculty-student dating, it warns that such dating often causes problems. The full text of the consensual relationship policy is available in Appendix E.





## **The President's Initiative on the Status of Women**

In April of 2002, Duke University President Nannerl Keohane announced a strategic initiative on the status of women at Duke and appointed a steering committee to provide initial guidance to the initiative. The charge of the steering committee was to gather and examine information pertinent to the status of women faculty, staff, and students and to address the issues of climate for women at Duke. The steering committee was also charged with setting short and long term goals and for implementing policy changes.

The steering committee established working groups representing each of the major constituencies at Duke. These groups were asked to address the status of women within their own constituencies and to offer recommendations about how best to improve the situation for women in their own constituencies. The President asked these groups to engage in "fact-finding," develop hypothesis and research questions, undertake analysis, and make recommendations based on their research and available data.

The working groups have completed the majority of the work. In addition to collecting current and longitudinal data, focus groups and informal discussions were held with women from across the University. The reports from student, faculty, and staff working groups will be completed in 2003.

## **4. Community Initiatives**

Duke's Community Initiatives are intended to assist in the economic and social development of Duke's surrounding Durham and Triangle communities.

### **Duke-Durham Neighborhood Partnership**

The Duke-Durham Neighborhood Partnership was launched in 1996 with the goal of working with community leaders to improve the quality of life in 12 neighborhoods near campus and to boost student achievement in the seven public schools that serve those neighborhoods. The Partnership focuses on priorities identified by residents, including combating crime, increasing home ownership, and providing educational and enrichment opportunities for children. Since 1996, Duke has raised about \$9 million in support of its partner communities, and employees from more than 35 Duke departments participate in the program. These neighborhoods are home to many Duke faculty and staff and also include some of the city's lowest-income neighborhoods.

### **Community Development Project - Hope VI Program**

The Office for Institutional Equity was selected as one of the sponsors to participate in the Durham Housing Authority (DHA) HOPE VI Revitalization Grant from the U.S. Department of Housing and Urban Development to revitalize Few Gardens, a 49 year-old public housing development. HUD's HOPE VI program was designed to accomplish two primary goals: 1) improve and invest in public housing facilities and 2) address the social service needs of public housing residents.

The funding from this Hope VI grant will enable Duke to address some of the barriers to employment that were identified through a needs assessment survey that was administered by North Carolina Central University to residents in Few Gardens. The overarching goal of the Duke Hope VI Project is to improve program participants' understanding and knowledge of community resources and services, improve individuals' job/vocational skills in the hope of providing job placement and/or job mobility, increase participants' knowledge of how to develop strategies for career development and placement, and provide families with information and resources that will enable them to create and maintain a life based on economic self sufficiency.



## **Higher Education Diversity Forum**

In 2003, the Office for Institutional Equity surveyed a host of institutions of higher education in North Carolina to assess their level of interest in coming together to discuss diversity in higher education and to share best practices in equal opportunity and diversity initiatives. Following an overwhelming response, Duke hosted a forum to facilitate the discussion. Fifteen colleges and universities, representing public schools, private institutions, all-women colleges, and historically Black colleges, participated in the discussion. Follow-up meetings and activities are currently being planned.

## **Housing**

Through its support of the Self-Help Credit Union (via a \$2 million affordable housing loan) and Habitat for Humanity, Duke has helped renovate or construct more than fifty houses in Walltown, a low-income, historically African-American neighborhood near Duke. Approximately, 30 more affordable homes are planned. Special city loans and equity programs allowed residents to become homeowners, boosting the neighborhood's relatively low 20% home ownership rate. With more than \$500,000 in grants from Duke, the University also subsidized the creation of two community centers in Walltown. The St. James Family Life Center, situated in an old elementary school, contains a children's library, a computer lab, and a job-training center. An old grocery store that has been a crime magnet in recent years has been transformed into the headquarters for the Walltown Neighborhood Ministries. The Walltown Neighborhood Ministries is a coalition of black and white churches involved in grassroots community work in Walltown to eliminate poverty, increase home ownership, care for the elderly, improve support for parents and families, and build relationships with the area's growing Hispanic population.

## **Latino Health Project**

In 2001, the Duke Hospital created the Latino Health Project to address the needs of the burgeoning Latino population of employees and patients. The Project has established a central office to serve as a clearinghouse of information about existing Duke programs and services. Duke Hospital has conducted a needs assessment survey for their constituencies.

Currently, the Project is fostering a relationship with the local Latino community and collaborating with El Centro Hispano in a study, "Perceptions of Health Care in Durham." Several initiatives are underway to assist employees and students to develop language skills and to enhance cultural competencies.

## **Minority Business Consulting Program**

The Minority Business Consulting Program (MBCP) offers confidential business assistance to qualified local minority-owned companies. This program is specifically designed for small companies in the Research Triangle area that do not have the resources to pay for these services. This program is supported by the Fuqua School of Business and the North Carolina Institute for Minority Economic Development and is funded by corporate grants and the U.S. Small Business Administration. The mission of the MBCP is to provide consultation for ethnic minority-owned businesses in the Triangle area, and to enhance their competitiveness and profitability. Available areas of consultation include Marketing, Business Plan Assistance, Strategic Planning, Management Information Systems, Inventory Control, Production Scheduling, Manufacturing, Accounting Systems/Business Ratios, Growth Management, Financial Planning and Control, Human Resources, Operations, and Industry Analysis.

In the past year, MBCP has worked with four minority companies, assisting each one with financial information and planning. MBCP gives additional marketing and operations advice to one of these companies. MBCP is currently soliciting applications in an attempt to identify and consult with companies who would like to do business with Duke University but are lacking necessary qualifications. MBCP hopes to assist these companies in eventually qualifying for contracts with Duke.





MBCP is also initiating collaboration with Duke's purchasing department to facilitate the University's support for minority businesses.

### **Minority and Women-Owned Business Enterprise Initiative**

The Minority and Women Business Enterprise Program (M/WBE) is designed to increase the level of participation by minority and female vendors at Duke University and its affiliates. The program was inaugurated in 1988. The Office of Procurement Services coordinates the M/WBE Program. The M/WBE Coordinator is responsible for identifying and recruiting qualified M/WBE vendors, creating and maintaining an accurate and up-to-date database of minority and female vendors, and providing this information to the University community.

### **Schools and Youth Programs**

A full-time Duke employee in the Office of Community Affairs serves a liaison with the seven partner schools, linking Duke professors and staff with school personnel. More than 300 Duke students and employees tutor in the schools. The success of the program is evident in the fact that in the past three years, there has been improvement of at least 20 percentage points. With Duke University's support, the E.K. Powe Elementary School now has a science resource-learning center. Each spring, Duke hosts more than 300 at-risk middle school students for a day, giving them access to researchers and Duke students, with the goal of encouraging them to consider a college career.

Duke also helps support community centers in the partner neighborhoods, with a special emphasis on programs for youth. The University has provided more than \$200,000 to purchase a building for the new West End Community Juanita McNeil-Joseph Alston Teen Center. The Center serves more than 30 disadvantaged youth in a wide array of programs.

Partners for Youth are an award-winning partnership, mentoring, and summer jobs program for about 25 disadvantaged teens that live in the West End area of Durham. In 2002, Duke was a recipient of a \$2.25 million Kellogg Foundation to develop an innovative after-school program at community centers in the Partner neighborhoods. The program augments the steps being taken by Durham Public Schools to "close the achievement gap."

## **5. Other Programs**

The "Other Programs" category embraces any other policies, programs, or practices not readily identifiable in the previous four groups or where there was an overlap between or among groups.

### **20/40 Legacy Commemoration**

In September of 2003, the Office for Institutional Equity will hold a University-wide commemoration of the 20th anniversary of the Mary Lou Williams Center for Black Culture and the 40th anniversary of Duke University's first African-American student. The commemoration will consist of several events including a symposium, a jazz festival, and a display of pertinent artifacts and memorabilia. A calendar celebrating the 20/40 Legacy will be issued to every incoming student.

### **Arts and Science Diversity Initiatives**

In 2002, the Duke Arts and Sciences Council announced a new set of initiatives to address diversity issues at Duke. The initiatives are designed to develop a broader definition of diversity by addressing not only racial diversity in the undergraduate population but also faculty diversity, student economic diversity, and diversity in course offerings.





This initiative will strengthen ongoing departmental efforts to add women faculty in the senior ranks as part of the regular search process. During 2002-2003, Arts and Sciences also recruited two female scientists from John Hopkins to consult with Duke's science, engineering and medical faculties on recruiting and retaining women faculty. Additionally, Arts and Science has made a concerted effort to diversify department chairs - four of the new department chairs in Arts and Sciences are women.

The Dean of Arts and Sciences in conjunction with the Director of Admissions at Duke have planned a trip throughout the Northeast to visit inner-city magnet schools to encourage students from these schools to apply to Duke.

A review of the curriculum put in place in 2000 will increase the diversity of classes offered at Duke by expanding upon courses in African American studies and women's studies and by developing a new series of classes in Native American and Latino studies. Duke is also working with the Asian American Student Association and the Center for Asian and Asian American Studies to assess the most promising areas for developing curricular and programmatic strength in that area. Additionally, Duke has reinvigorated its ties with the University of North Carolina in the Jewish Studies program. Finally, the Muslim Network is working closely with the University of North Carolina and Emory University toward joint academic programming.

### **Martin Luther King Commemoration Events**

Each year, Duke University celebrates Martin Luther King's birthday with a variety of activities across the campus. In 2003, the two-week event was held in January. The myriad of activities include a discussion on Dr. King's life as a minister, a workshop at a local schools, a candlelight vigil, an all day community service event, and a cultural extravaganza. All events are designed to encourage student, staff, and community participation and are free and open to the public.

### **Samuel DuBois Cook Society**

The Cook Society was founded in 1997 to honor Duke's first African-American professor. The Society's mission is to recognize, celebrate, and affirm the presence of African-American students, faculty, and staff at Duke. The Society provides a forum for the analysis and discussion of issues with an impact on the lives of African-Americans, addresses organizational and structural issues that impede the development of a sense of community at Duke, and works to enhance Duke's capacity for becoming a truly inclusive community. Each active member serves as a mentor to at least one person of African descent enrolled or employed at Duke.

The Cook society cosponsors several events, such as lectures, workshops, and film showings. In 2003, a series of discussions and activities were planned around the film "An Unlikely Friendship." This film is based on a book about a friendship that developed in the 1970s between an African-American civil rights activist and a Caucasian Grand Cyclops of the Ku Klux Klan. The film was shown to students in the Duke Education Program, as well as to 8th and 9th graders from local schools.



## **Campus Student Groups**

Duke University is home to many campus groups, which provide meeting places and support for students, faculty, and employees. These groups include:

African-American Dissertation Support Group  
American Civil Liberties Union  
Asian American Medical Association  
Asian Business Club  
Asian Law Students Association  
Association of Women in Business  
American Medical Women's Association  
Asian Student Association  
Black Campus Ministries  
Black and Latino MBA Organization  
Black Law Students Association  
Black Student Alliance  
Center for Lesbian, Gay, Bisexual & Transgender Life  
Christian Legal Society  
South Asian American Association  
Duke Chinese Students and Scholars Association  
Duke Korean Student Association  
Duke Society of Black Engineers  
Duke University Black Pre-Professional Health Organization  
Duke University Turkish Student Association  
El Concilio Latino/Hispano/Americano  
Gay, Lesbian, and Straight Alliance – Fuqua School of Business  
Gay-Straight Alliance – Duke University School of Medicine  
Graduate Students of Color  
Hindu Students Council  
Hindu Study Group  
Indus – South Asian Business Club  
International Business Club  
International House



## **Campus Student Groups (continued)**

International Students and Scholars

Jewish Business Association

Latin American Students Association

Male Law Student Association

Mi Gente

Multicultural Center

Native American Law School Association

Native American Student Coalition

Office of Intercultural Affairs

Office of Services for Students with Disabilities

Parents Attending Law School

Samuel DuBois Cook Society

Student National Medical Association

Taiwanese Student Association

The Black Graduate and Professional Student Association

The Freeman Center for Jewish Life

The Graduate and Professional Women's Network

The Hurston-James Society

The Mary Lou Williams Center for Black Culture

Women Law Students Association

Women in Science and Engineering





## **Appendix D: Duke University Harassment Policy and Procedures**

### **Purpose**

Harassment of any kind is not acceptable at Duke University whether it is sexual harassment or on the basis of age, color, disability, ethnic or national origin, gender, race, religion or sexual orientation. It is inconsistent with the University's commitments to excellence and to respect for all individuals. Duke University is also committed to the free and vigorous discussion of ideas and issues, which the University believes will be protected by this policy. This policy is intended to complement Duke University's Equal Opportunity Policy (Duke University Personnel Policy A-5).

### **Scope**

This Harassment Policy applies to all persons who are enrolled or employed at Duke University while they are on university property or are participating in a university-sponsored activity off-campus. The Procedures for Resolution of Claims of Harassment, described below, apply to situations in which both complainant and respondent are enrolled or employed at Duke University.

Situations which involve others, including applicants for admission or employment who believe they have been harassed by employees of Duke University, and students and employees of Duke University who believe they have been harassed by contractors or vendors serving the University, will be resolved through procedures for complaints of discrimination. Persons who believe they have experienced these situations should contact the Office for Institutional Equity.

### **Policy**

- I. Duke University is committed to protecting the academic freedom and freedom of expression of all members of the University community. This policy against harassment shall be applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas, however controversial, in the classroom, residence hall, and, in keeping with different responsibilities, in workplaces elsewhere in the University community.

- II. Definition of Harassment at Duke University

Harassment is the creation of a hostile or intimidating environment, in which verbal or physical conduct, because of its severity and/or persistence, is likely to interfere significantly with an individual's work or education, or affect adversely an individual's living conditions.

Sexual coercion is a form of harassment with specific distinguishing characteristics. It consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

submission to such conduct is made, explicitly or implicitly, a term or condition of an individual's employment or education; or

submission to or rejection of such conduct is used as a basis for employment or educational decisions affecting an individual.

The conduct alleged to constitute harassment under this policy shall be evaluated from the perspective of a reasonable person similarly situated to the complainant and considering all the circumstances.



III. In considering a complaint under the Duke University Harassment Policy, the following understandings shall apply:

Harassment must be distinguished from behavior which, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

In so far as Title VII (Equal Employment Opportunity) of the Civil Rights Act of 1964 is applicable (i.e., in complaints concerning carrying out of non-instructional employment responsibilities), the University adopts the definition of sexual harassment found in the Equal Employment Opportunity Commission (EEOC) Guidelines: "conduct of a sexual nature...when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Instructional responsibilities require appropriate latitude for pedagogical decisions concerning the topics discussed and methods used to draw students into discussion and full participation.

IV. The following behaviors are also prohibited by the Harassment Policy:

a. Reprisals

1. Against the Complainant: It is a violation of Duke's Harassment Policy to retaliate against a complainant for filing a charge of harassment. A complaint of retaliation may be pursued using the steps followed for a complaint of harassment. When necessary, the appropriate dean or other University officer may monitor student grading or faculty/staff reappointment, tenure, promotion, merit review, or other decisions to ensure that prohibited retaliation does not occur.

2. Against the Respondent: Lodging a complaint of harassment is not proof of prohibited conduct. A complaint shall not be taken into account during reappointment, tenure, promotion, merit, or other evaluation or review until a final determination has been made that the University's Harassment Policy has been violated.

b. Knowingly filing a false or malicious complaint of harassment or of retaliation is a violation of the Harassment Policy. Such conduct may be pursued using the steps followed for a complaint of harassment. A complaint under this provision shall not constitute prohibited retaliation.

c. Intentional Breaches of Confidentiality. All participants in the Harassment Complaint Resolution process, including the complainant and respondent, witnesses, advisors, mediators, members of hearing panels, and officers, shall respect the confidentiality of the proceedings. Breaches of confidentiality jeopardize the conditions necessary to the workings of internal procedures for resolution of claims of harassment. Participants are authorized to discuss the case only with those persons who have a genuine need to know. A complaint alleging an intentional breach of confidentiality may be pursued using the steps followed for a complaint of harassment. Such a breach may also constitute an act of retaliation. A breach of confidentiality may void the outcome of any previously agreed-upon resolution to a complaint.

V. Individuals who believe they have been harassed, individuals charged with harassment, and individuals with knowledge of situations in which harassment may exist should consult Duke University's Procedures for Resolution of Claims of Harassment.



- VI. This Harassment Policy and the Procedures for Resolution of Claims of Harassment are only part of Duke University's effort to prevent harassment in our community. In addition to spelling out steps for making and resolving complaints, the University is also committed to programs of education to raise the level of understanding concerning the nature of harassment and ways to prevent its occurrence.

### **Procedures for Resolution of Claims of Harassment**

Please see one of the following sources for the harassment claims procedures:

- Institutional Equity Web page ([http://www.duke.edu/web/equity/har\\_pol.htm](http://www.duke.edu/web/equity/har_pol.htm)),
- Faculty Handbook, or
- Personnel Policy Manual.

NOTE: This Harassment Policy replaces previous statements on Sexual Harassment in Employment and Sexual Harassment of Students. Specifically it replaces Appendix W of the Faculty Handbook, Policy IX.180 and Policy IX.190 in the Duke University Policy Manual, and the statement on Sexual Harassment of Students in the various school Bulletins.





## **Appendix E: Duke University Consensual Relationship Policy**

### **Statement of Values and Expectations**

Duke University is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation, and favoritism.

Where a party uses a position of authority to induce another person to enter into a non-consensual relationship, the harm both to that person and to the institution is clear. Even where the relationship is consensual, there is significant potential for harm when there is an institutional power difference between the parties involved, as is the case, for example, between supervisor and employee, faculty and student, or academic advisor and advisee. Such relationships may cast doubt on the objectivity of any supervision and evaluation provided.

Having consensual relationships with subordinates is likely to interfere with the ability of a superior to act and make decisions fairly and without favoritism. Even if the superior is able to avoid being biased, the other people in the workplace or learning environment are likely to see themselves as being less favored and as disadvantaged by the personal relationship. In addition, the damage can continue long beyond the actual time span of the relationship and can make people suspicious of any future professional interactions between the parties.

The following policy is articulated in two parts, the first directed to employee relationships, the second to faculty/student relationships. Although these categories have many elements in common, the student/teacher relationship represents a special case, because the integrity of this relationship is of such fundamental importance to the central mission of the University. Students look to their professors for guidance and depend upon them for assessment, advancement, and advice. Faculty/student consensual relationships create obvious dangers for abuse of authority and conflict of interest actual, potential, and apparent. Especially problematic is such a relationship between a faculty member and a graduate student who is particularly dependent upon him or her for access to research opportunities, supervision of thesis or dissertation work, and assistance in pursuing job opportunities.

Duke University has adopted a consensual relationship policy for the following reasons: to avoid the types of problems outlined above, to protect people from the kind of injury that either a subordinate or superior party to such a relationship can suffer, and to provide information and guidance to members of the Duke community. Most of all, this policy seeks to help ensure that each member of the Duke community is treated with dignity and without regard to any factors that are not relevant to that person's work.

### **Definitions**

For purposes of this policy, the terms "Duke University," "employee," "supervisor," "faculty," "student," and "consensual relationships" are defined as follows:

**Duke University:** Duke University and related entities, including Duke University Medical Center and Health Systems.

**Employee:** anyone employed by Duke University as faculty or staff, full-time or part-time.

**Supervisor:** anyone who oversees, directs, or evaluates the work of others, including, but not limited to, managers, administrators, coaches, directors, physicians, deans, chairs, advisors, housestaff, and teaching assistants, as well as faculty members in their roles as instructors, as supervisors of their staff, and as participants in decisions affecting the careers of other faculty members.



Faculty: all those charged with academic instruction, including all ranks recognized as faculty under the bylaws of Duke University and its Medical Center and Health Systems, teaching assistants, academic advisors, coaches, and others who have a role in educating, supervising, or advising students as part of the programs of Duke University and its various schools.

Students: all those enrolled full-time or part-time in any program of Duke University and its various schools.

Consensual relationships: dating and sexual relationships willingly undertaken by the parties.

Note: Non-consensual situations are covered under the University's policy on Sexual Harassment, marital relationships under the Nepotism policy.

### **Policy Regarding Employee/Employee Relationships and Employee/Faculty Relationships**

Except in unusual circumstances, where explicit authorization has been obtained from the appropriate superior, no one who is employed at Duke should participate in supervision, employment actions, evaluation, decisions pertaining to promotion, the direct setting of salary or wages for someone employed at Duke with whom that person has or has had a consensual relationship.

Except in special circumstances, where explicit authorization has been obtained from the appropriate superior, a supervisor should not employ anyone with whom he or she has or has had a consensual relationship.

Employees should be aware that entering into such a relationship with a supervisor creates the potential for risk to both parties. In particular, such a relationship will limit that supervisor's ability to direct work or promote that employee's career.

In the event that a personal relationship of this kind does exist in a supervisory context, the supervisor must disclose the relationship to the appropriate superior and initiate arrangements to address any issues of conflict of interest.

### **Policy Regarding Faculty/Student Consensual Relationships**

No faculty member should enter into a consensual relationship with a student actually under that faculty member's authority. Situations of authority include, but are not limited to, teaching, formal mentoring, supervision of research, and employment of a student as a research or teaching assistant; and exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.

No faculty member should accept authority over a student with whom he or she has or has had a consensual relationship without agreement with the appropriate dean. Specifically, the faculty member should not, absent such agreement, allow the student to enroll for credit in a course which the faculty member is teaching or supervising; direct the student's independent study, thesis, or dissertation; employ the student as a teaching or research assistant; participate in decisions pertaining to a student's grades, honors, degrees; or consider disciplinary action involving the student.

Students and faculty alike should be aware that entering into a consensual relationship will limit the faculty member's ability to teach and mentor, direct work, employ, and promote the career of a student involved with him or her in a consensual relationship, and that the relationship should be disclosed in any letter of recommendation the faculty member may write on the student's behalf. Furthermore, should the faculty member be the only supervisor available in a particular area of study or research, the student may be compelled to avoid or change the special area of his or her study or research.

If nevertheless a consensual relationship exists or develops between a faculty member and a student involving any situation of authority, that situation of authority must be terminated. Termination





includes, but is not limited to, the student withdrawing from a course taught by the faculty member; transfer of the student to another course or section, or assumption of the position of authority by a qualified alternative faculty member or teaching assistant; the student selecting or being assigned to another academic advisor and/or thesis or dissertation advisor; and changing the supervision of the student's teaching or research assistantship. In order for these changes to be made and ratified appropriately, the faculty must disclose the consensual relationship to his or her superior, normally the chair, division head, or dean, and reach an agreement for remediation. In case of failure to reach agreement, the supervisor shall terminate the situation of authority.

## **Resources**

Questions regarding this policy or what options may be available for resolving issues arising under it may be referred to human resources staff, departmental chairs, the Office of the Provost, the Office of Student Development, or the Office for Institutional Equity.

Additional information may be found in the Duke University Harassment Policy and Procedures and in the Duke University Personnel Policy Manual and the Faculty Handbook.

Websites: <http://www.hr.duke.edu/policy/ppm/a-15.htm>, <http://www.provost.duke.edu/fhb/fhb.pdf>.

## **Guidelines**

The intent of the policy is primarily to be instructive and corrective. In addition, there is no intent either to intrude on the privacy of a member of the Duke Community or to interfere with appropriate mentoring relationships.

Some examples of ways to help remove a conflict of interest include the following approaches:

- If a teaching assistant is interested in a student in his or her section, waiting until the end of the term before dating the student;
- Where a department chair has a personal relationship with any member of his or her department, seeing to it that the relationship is disclosed to the dean and arranging for the dean or other appropriate administrator to be responsible for evaluation or promotional decisions;
- When a manager has responsibility for supervising a romantic partner, arranging for an administrator senior to the manager to provide supervision of the subordinate.  
(Inserting a manager between the romantic parties in order to supervise the subordinate will not remove the conflict of interest, since the manager in the middle is still subject to pressure from above.)

*Adopted March 2002*





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